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FILE NO. 45-95-9 ORDINANCE NO. 101-95

RO #94193

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF NICOLE ABAGNARO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $225,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "Edward G. Khoury v. County of San Bernardino, et al.," San Bernardino Superior Court No. SCV 04291, by the payment of $225,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

ANTHONY D. RIBERA
Chief

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $225,000.00

APPROVED:

POLICE COMMISSION

SECRETARY

Supervisor Hallinan

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 3, 1995	April 10, 1995
Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
Absent: Supervisors Alioto Hsieh Kennedy	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-95-9

APR 21 1995
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 18 1995
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FILE NO. 97-95-9 ORDINANCE NO. 102-95

(SHERIFF - CASH REVOLVING FUND)

AMENDING CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10.164 THEREOF, INCREASING THE SHERIFF'S CASH REVOLVING FUND.

NOTE: Additions are underlined;
deletions are in ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Chapter 10 of the San Francisco Administrative Code is hereby amended by amending Section 10.164 to read as follows:

SEC. 10.164. CASH REVOLVING FUNDS -- SHERIFF; ((~~$4,800~~)) $6,000.

APPROVED AS TO FORM:

Deputy City Attorney

BOARD OF SUPERVISORS
SHERIFF
3/13/95

0454s

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 3, 1995	April 10, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
Absent: Supervisors Hsieh Kennedy	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 97-95-9

APR 21 1995
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 18 1995
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FILE NO. 103-95-1 ORDINANCE NO. 103-95

[Salary Ordinance - Staff Nurses]

ADJUSTING AND FIXING SCHEDULES OF COMPENSATION, EFFECTIVE JULY 1, 1994, TO BE PAID UNDER THE PROVISIONS OF CHARTER SECTION 8.403 TO EMPLOYEES OCCUPYING CLASSIFICATIONS: 2320 REGISTERED NURSE, 2323 CLINICAL NURSE SPECIALIST, 2330 ANESTHETIST, 2340 OPERATING ROOM NURSE, 2830 PUBLIC HEALTH NURSE, 2328 NURSE PRACTITIONER AND P103 SPECIAL NURSE; CONTINUING BY REFERENCE THE INCORPORATION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND SEIU LOCAL 790 (STAFF NURSES) WHICH ESTABLISHED CONDITIONS AND BENEFITS OF EMPLOYMENT OTHER THAN WAGES FOR SAID CLASSIFICATIONS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. This ordinance incorporates by reference all of the Memorandum of Understanding entered into between the City and County of San Francisco and SEIU Local 790 (staff nurses) for fiscal year 1994-1995. The provisions of this ordinance shall remain in effect after the end of fiscal year 1994-1995 until the passage of an ordinance establishing different provisions.

Section 2. The wage schedule for Classes 2320 REGISTERED NURSE, 2323 CLINICAL NURSE SPECIALIST, 2330 ANESTHETIST, 2340 OPERATING ROOM NURSE, 2830 PUBLIC HEALTH NURSE, 2328 NURSE PRACTITIONER, and P103 SPECIAL NURSE shall be in conformity with the

Memorandum of Understanding for said classes between the City and County of San Francisco and SEIU Local 790. Said rates shall be as indicated on the attached sheet, effective 7/1/94.

APPROVED AS TO CLASSIFICATION
CIVIL SERVICE COMMISSION

DIRECTOR OF HUMAN RESOURCES
DEPARTMENT OF HUMAN RESOURCES

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Theodore R. Lakey
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 3, 1995	§	April 10, 1995
	§	
	§	
Ayes: Supervisors Alioto Ammiano	§	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Kaufman Leal	§	Bierman Hallinan Hsieh Kaufman
Migden Shelley Teng	§	Leal Migden Shelley Teng
	§	
Absent: Supervisors Hsieh Kennedy	§	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
103-95-1

APR 21 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-94-77

ORDINANCE NO. 104-95

(Government Funding)

RO#94190
SA#96

APPROPRIATING $682,058 FROM THE GENERAL FUND RESERVE FOR MEDICAL SERVICE CONTRACTS TO ALLOW THE DEPARTMENT OF PUBLIC HEALTH - MENTAL HEALTH TO CONTINUE SUBSTANCE ABUSE PROGRAMS IN FISCAL YEAR 1994-95. PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unappropriated		
GL 491 (000026)	Unappropriated Revenue Reserve		
Subsidiary 000006	General Reserve	$682,058	
87-27-00	Public Health - Mental Health Substance Abuse		
10-1010 (732180)	Medical Service Contracts		682,058
	Total	$682,058	$682,058

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: BEW
DEPUTY CITY ATTORNEY
n:\excel\spproj\87sa#96

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: John Wheeler

Supervisors Alioto, Bierman

cc

Board of Supervisors, San Francisco

Passed for Second Reading
April 10, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Leal Migden Teng

Absent: Supervisors Hsieh Kennedy Shelley

Finally Passed
April 17, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

APR 28 1995
Date Approved

File No.
101-94-77

Mayor

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FILE NO. 101-94-78 AS AMENDED IN COMMITTEE 4/5/95 ORDINANCE NO. 105-95

(Government Funding) RO#94203 SA#88

/5/95 grh

APPROPRIATING $125,000 FROM THE GENERAL FUND RESERVE FOR PROFESSIONAL SERVICES TO ALLOW THE DEPARTMENT OF PUBLIC HEALTH-COMMUNITY HEALTH SERVICES TO IMPLEMENT THE MEDI-CAL MANAGED CARE LOCAL INITIATIVE FOR FISCAL YEAR 1994-95; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	General Fund Unallocated		
GL 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Fund Reserve	$125,000	
83-00-00	Community Health Service		
Project xxx-xx	San Francisco Health Authority		
10-1000 ( )	Professional Services		$125,000
	Total	$125,000	$125,000

5/95 rh

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

n:\ancs\approp\83ss88

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]
CONTROLLER

cc

Board of Supervisors, San Francisco

Passed for Second Reading
April 10, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng
Absent: Supervisor Kennedy

Finally Passed
April 17, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No. 101-94-78

APR 28 1995
Date Approved

[signature]
Mayor

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FILE NO. 101-94-81 ORDINANCE NO. 106-95

(Government Funding)

RO#94201
SA#63

APPROPRIATING $23,508 FROM THE GENERAL FUND RESERVE TO PROVIDE FULL FUNDING FOR THE COST OF THE MEMBERSHIP IN THE ASSOCIATION OF BAY AREA GOVERNMENT'S FOR THE CAO'S OFFICE FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL496 (000026)	Unappropriated Revenue Reserve		
Subsidiary 000006	General Fund Reserve	$23,508	
70-00-00	Chief Administrative Officer		
10-1440 (420018)	Membership Dues		$23,508
	TOTAL	$23,508	$23,508

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

N:\EXCEL\BUDGET\70SA#75

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 10, 1995	April 17, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisor Kennedy	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Acting Clerk

File No. 101-94-81

APR 28 1995
Date Approved

_____
Mayor

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FILE NO. 101-94-83

AS AMENDED IN COMMITTEE 4/5/95

ORDINANCE NO. 107-95

(Government Funding)

RO#94211
SA#113

APPROPRIATING $20,000,000 TO ALLOW SAN FRANCISCO GENERAL HOSPITAL TO PARTICIPATE IN THE SB 1255 DISPROPORTIONATE SHARE PAYMENT PROGRAM THROUGH THE CALIFORNIA MEDICAL ASSISTANCE COMMISSION DURING FISCAL YEAR 1994-95. FUNDED FROM DISPROPORTIONATE SHARE PROGRAM REVENUES; PLACING A RESERVE ON ANY ADDITIONAL REVENUES UNDER SB 1255.

4/5/95 grh

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
36-001	**Hospital Operating Fund**		
86-01-00	San Francisco General Hospital		
70-7672 (041061)	Medi-Cal Net Revenues	$ 20,000,000	
10-1470 (462580)	Contribution to Agency Fund		20,000,000
	Total	20,000,000	20,000,000

Section 2. The total allocation hereunder shall not exceed twenty million dollars ($20,000,000). The Controller is hereby authorized and directed to adjust the appropriations to the amount of the available resources within the Department of Public Health.

4/5/95 Section 3. Any additional revenues to be realized by the City under SB 1255, are hereby placed on reserved, pending a report back to the Budget Committee of the Board of Supervisors regarding the proposed disposition of such revenues.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

H:\EXCEL\SPPROJ\MSA#113

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 10, 1995	April 17, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisor Kennedy	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 101-94-83

APR 28 1995
Date Approved

Mayor

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FILE NO. 203-95-1 ORDINANCE NO. 108-95

[Quitclaim of Easement]

URGING AND AUTHORIZING THE DIRECTOR OF PROPERTY TO QUITCLAIM AN EASEMENT OVER A PORTION OF 1096 EDDY STREET FOR LESS THAN FAIR MARKET VALUE TO PROGRESS FOUNDATION FOR DEVELOPMENT OF AN AFFORDABLE HOUSING PROJECT AND URGING AND AUTHORIZING THE DIRECTOR OF PROPERTY TO ACCEPT A RELOCATED EASEMENT

Be It Ordained By the People of the City and County of San Francisco:

Section 1. Findings.

The City and County of San Francisco owns an easement for public utilities 44.75 feet in width in former Octavia Street between the southerly line of Ellis Street and the northerly line of Eddy Street, more particularly described as Parcel 10 in that certain Exchange Deed recorded as Instrument No. 14925 on August 24, 1961 in the Official Records of the County of San Francisco (the "Existing Easement").

Progress Foundation, a non-profit corporation, and its affiliate, Eddy Street Apartments, a non-profit corporation, propose the development of 20 units of housing for low and very low income mentally disabled adults at real property commonly known as 1096 Eddy Street (the "Project"). The Federal Department of Housing and Urban Development ("HUD"), has made an initial grant commitment to subsidize a portion of the construction costs for the Project and provide 20 years of operating costs to the Project under the HUD Section 811

Supportive Housing for Disabled Persons Program. The combined total value of such grants is estimated to be approximately 4.2 million dollars.

The population to be served by the Project has been determined to have a high priority housing need in San Francisco, as indicated in the 1995 Consolidated Plan approved by the Board of Supervisors by Resolutions No. 1016-94 through 1018-94 on December 5, 1994. The Project cannot be developed without the relocation of the City's Existing Easement because the terms of the Existing Easement prohibit construction of improvements over the easement area. The Project is not feasible without either (i) the City's agreement to quitclaim its existing easement for less than market value, or (ii) the acceptance by the current private owner of 1096 Eddy Street of a purchase price for its sale of the property to Progress Foundation based on the reduction in value of the property due to the encumbrance of the Existing Easement. The current private owner is not willing to convey the property for a purchase price determined as described in clause (ii) above. Development of the Project will provide substantial public and economic benefits to the City and County of San Francisco.

Section 2. The Director of Property, on behalf of the City and County of San Francisco, is hereby authorized to execute a quitclaim deed and other documents necessary and appropriate to convey the City's Existing Easement to Progress Foundation, its

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successors or assigns, for less than market value upon the following terms and conditions:

(a) the quitclaim is subject to such reservations or restrictions as are necessary to protect and preserve the affordable housing or other public use of the easement area conveyed;

(b) the quitclaim will be made only if Progress Foundation or its affiliate acquires fee title to the property known as 1096 Eddy Street;

(c) the Existing Easement will not be quitclaimed until the City is granted a new easement over another location on the 1096 Eddy Street property for the same purposes as the Existing Easement, in form and substance and in a location satisfactory to the Director of Property, Director of the Department of Public Works and the Department of Electricity and Telecommunications; and

(d) the City utility lines in addition to any other utility lines and public utility facilities located in the easement area subject to the Existing Easement will be relocated within the replacement easement area referred to above at no cost or liability to City or other owner of such utilities and without disruption, to the satisfaction of the Director of the Department of Public Works and the Department of Electricity and Telecommunications.

///

Section 3. The Board of Supervisors hereby urges the Director of Property, Director of Public Works and Director of Department of Electricity and Telecommunications to proceed with the necessary easement vacation, quitclaim of the Existing Easement and relocation of existing utility facilities to the replacement easement area and to negotiate the documents necessary to carry out the quitclaim of the Existing Easement in accordance with the terms and conditions set forth herein.

Section 4. All actions authorized by this ordinance and heretofore taken by any City official in connection with the transaction contemplated herein are hereby ratified, approved and confirmed by this Board of Supervisors.

Section 5. The Board of Supervisors hereby authorizes the Director of Property and any other City official required to execute documents and take such further action as necessary to effectuate the purposes of this legislation.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 10, 1995	$	April 17, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh Kaufman
Leal Migden Shelley Teng	$	Kennedy Leal Migden Shelley Teng
	$	
Absent: Supervisor Kennedy	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
203-95-1

APR 28 1995

Date Approved

Mayor

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FILE NO. 101-94-82

AS AMENDED IN COMMITTEE 4/12/95

ORDINANCE NO. 109-95

(Government Funding)

RO#94204
SA#92

/12/95 grh

APPROPRIATING ~~$452,624~~ $424,154 FROM THE GENERAL FUND RESERVE TO SALARIES AND FRINGE BENEFITS FOR THE REDUCTION OF SALARY SAVINGS AND THE CREATION OF THREE (3) POSITIONS FOR THE PUBLIC DEFENDER FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	General Fund Unallocated		
GL 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Fund Reserve	~~$452,624~~ $424,154	
05-00-00	Public Defender		
01-0010 (304113)	Permanent Salaries		~~$384,600~~ $361,254
01-0600	Mandatory Fringe Benefits		~~$68,034~~ $62,900
	Total	~~$452,624~~ $424,154	~~$452,624~~ $424,154

/12/95 grh

Section 2. Funds are hereby appropriated for three (3) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-94-13) as follows:

CLASS NO.	CLASSIFICATION NAME	RATE	NO. OF POS. CREATED
8174 N	Attorney - Civil and Criminal	1809B2199	3

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

DEPARTMENT OF HUMAN RESOURCES

BY: _____
DIRECTOR

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BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 17, 1995	$	April 24, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng	$	Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Joan Lum
Acting Clerk

File No.
101-94-82

MAY 1 1995
Date Approved

Mayor

FILE NO. 101-94-88

AS AMENDED IN COMMITTEE
04/12/95

ORDINANCE NO. 110-95

(Government Funding)

RO#94196
SA#98

APPROPRIATING $1,415,990 OF FEDERAL SUBVENTION REVENUE FOR FACILITIES MAINTENANCE AT THE YOUTH GUIDANCE CENTER AND LOG CABIN RANCH OF THE JUVENILE PROBATION DEPARTMENT FOR FISCAL YEAR 1994-95; PLACING $440,000 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
12-00-00	Juvenile Probation		
GL 401	Revenues		
60-6299 (040964)	Misc. Federal & State Subventions (Title IVE)	$1,415,990	
49-4900 (874982)	Revenue Transfer Out to 01-005, General Fund Project Only; 12-00-00; Juvenile Prob.		$525,990
21-2020 (318055)	Facilities Maintenance		
Project 319-01	YGC - Security		$420,000
Project 504-01	YGC- Heating Ventilation		450,000
Project 504-02	YGC - Facilities Maintenance		20,000
	Total General Fund	$1,415,990	$1,415,990
01-005	General Fund - Project		
99-9900 (191312)	Revenue Transfer In from 01-001, General Fund; 99-00-00	$525,990	
21-2020 (318105)	Facilities Maintenance		
Project 311-01	Y.G.C. - Facilities Maintenance		$249,969
Project 324-01	LCR -Access Road		$190,000
Project 312-01	LCR- Misc. Facilities		$86,021
	Total General Fund - Project Only	$525,990	$525,990

Section 2. Funds in the amount of $440,000, are placed on reserved pending the selection of the contractors, the MBE/WBE status of the contractors and the contract cost details to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

n:\ordinance\approp\12ea98

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

BOARD OF SUPERVISORS

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MAY 22 1995
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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 17, 1995	$	April 24, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley	$	Kennedy Leal Migden Shelley Teng
	$	
Absent: Supervisor Teng	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
101-94-88

MAY 1 1995

Date Approved

Mayor

FILE NO. 101-94-94 ORDINANCE NO. 111-95

(Government Funding)

RO#94220
SA#115

APPROPRIATING $636,638 FROM THE GENERAL FUND RESERVE FOR THE COSTS OF COLLECTIVE BARGAINING UNDER PROPOSITION "F" DEPARTMENT OF HUMAN RESOURCES FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	General Fund Unallocated		
GL 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Fund Reserved	$636,638	
33-00-00	Department of Human Resources		
Project 119-01	Collective Bargaining		
10-1001 (332270)	Other Non-Personal Services		$636,638
	Total	$636,638	$636,638

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

n:\excel\approp\33\ord115

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

Supervisor Kaufman
BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No. 101-94-94

MAY 1 1995
Date Approved

[signature]
Mayor

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FILE NO. 102-94-13 ORDINANCE NO. 112-95

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 12

AMENDING ORDINANCE NO. 293-94 (ANNUAL SALARY ORDINANCE, 1994/95) REFLECTING THE ADDITION OF THREE POSITIONS IN THE PUBLIC DEFENDER'S OFFICE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class and Item No.	Class Title	Compensation Schedule
			Department: 05 Public Defender	
			Division: 00 Public Defender	
			Section: 00 Public Defender	
			Program: 1504 Criminal and Special Defense	
			Fund: 01001 General Fund	
			Index: 304113 Criminal Defense - GF	
			ProJ/Phase: 000/00 Unassigned Title	
			Object: 001 Permanent Salaries - Misc.	
3 ADDED	3	8174 N	Civil Attorney	SC $1809B2199

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

Wenell Brown
HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 12

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading
April 17, 1995

Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng

Finally Passed
April 24, 1995

Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Joan Lum
Acting Clerk

File No.
102-94-13

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-4.1 ORDINANCE NO. 113-95

(COMPENSATION)

AMENDING ORDINANCE NO. 317-94 IMPLEMENTING FISCAL PROVISIONS OF MEMORANDUM OF UNDERSTANDING BETWEEN THE BUILDING INSPECTORS ASSOCIATION FOR 6334 CHIEF BUILDING INSPECTOR AND THE CITY AND COUNTY OF SAN FRANCISCO AWARDED BY THE ARBITRATION PANEL

Be it ordained by the People of the City and County of San Francisco.

Section 1. The board of supervisors hereby amends the fiscal provisions of the Memorandum of Understanding awarded by the panel of arbitrators pursuant to charter section 8.409 et seq. for the period July 1, 1994 through June 30, 1997 for 6334 Chief Building Inspectors represented by the Building Inspectors Association. The fiscal provisions so amended are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

52461

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 93-95-4.1

MAY 1 1995
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-4.3 ORDINANCE NO. 114-95

(Compensation)

AMENDING ORDINANCE NO. 316-94 IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BUILDING INSPECTORS ASSOCIATION FOR 6331 BUILDING INSPECTOR AND 6333 SENIOR BUILDING INSPECTOR AND THE CITY AND COUNTY OF SAN FRANCISCO AWARDED BY THE ARBITRATION PANEL

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby amends the fiscal provisions of the Memorandum of Understanding awarded by the panel of arbitrators pursuant to charter section 8.409 et seq. for the period July 1, 1994 through June 30, 1997 for 6331 Building Inspectors and 6333 Senior Building Inspectors represented by the Building Inspectors Association. The fiscal provisions so amended are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

52461
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 93-95-4.3

MAY 1 1995
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-5.1 ORDINANCE NO. 115-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE AUTOMOTIVE MACHINISTS UNION, LOCAL 1305 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco. Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the Automotive Machinists Union, Local 1305 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 93-95-5.1

MAY 1 1995
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 22 1995
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PUBLIC LIBRARY

FILE NO. 93-95-6.1 ORDINANCE NO. 116-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BAY COUNTIES DISTRICT COUNCIL OF CARPENTERS AND IT'S AFFILIATED LOCAL UNIONS, LOCAL 22 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the Bay Counties District Council of Carpenters and it's Affiliated Local Unions, Local 22 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

57681
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 93-95-6.1

MAY 1 1995
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-7.1 ORDINANCE NO. 117-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE LABORER'S INTERNATIONAL UNION, LOCAL 261 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the Laborer's International Union, Local 261 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

57681
BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 93-95-7.1

MAY 1 1995
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 22 1995
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FILE NO. 93-95-8.1 ORDINANCE NO. 118-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE MACHINISTS AUTOMOTIVE TRADES DISTRICT NO. 190, INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, LOCAL 1327 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the Machinists Automotive Trades District No. 190, International Association of Machinists and Aerospace Workers, Local 1327 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

57681
BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lenn
Acting Clerk

File No. 93-95-8.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
MAY 22 1995
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PUBLIC LIBRARY

FILE NO. 93-95-9.1 ORDINANCE NO. 119-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE OPERATING ENGINEERS, LOCAL UNION NO. 3 OF THE INTERNATIONAL UNION OF OPERATING ENGINEERS, AFL-CIO AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the Operating Engineers, Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Theodore R. Lakey
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 24, 1995	§	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	§	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jim Lucas
Acting Clerk

File No. 93-95-9.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
MAY 22 1995
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FILE NO. 93-95-10.1 ORDINANCE NO. 120-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPE FITTING INDUSTRY, LOCAL 38 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco. Section 1. The Board of Supervisors hereby implements the fiscal provisions of the amendment to the Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Theodore R Lakey
DEPUTY CITY ATTORNEY

57681

4/10/95

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Joan Lem
Acting Clerk

File No. 93-95-10.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
MAY 22 1995
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FILE NO. 93-95-11.1 ORDINANCE NO. 121-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CEMENT MASONS, LOCAL 580 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the Cement Masons, Local 580 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

57071

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 93-95-11.1

MAY 1 1995
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-12.1 As amended 4-24-95 ORDINANCE NO. 122-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF
AS AMENDED
4/24/95 UNDERSTANDING/BETWEEN THE SHEETMETAL WORKERS INTERNATIONAL ASSOCIATION, LOCAL
rt 104, AFL-CIO AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions
as amended
4/24/95 of the Memorandum of Understanding/between the Sheetmetal Workers
rt International Association, Local 104, AFL-CIO and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

57681
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng
Absent: Supervisor Alioto	Absent: Supervisor Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Fleming
Acting Clerk

File No. 93-95-12.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-13.1 ORDINANCE NO. 123-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 6 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco. Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS 57681

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 93-95-13.1

MAY 1 1995
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO 93-95-14.1

ORDINANCE NO. 124-95

FILE NO. 93-95-14.1 ORDINANCE NO. 124-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES AND MOVING PICTURE MACHINE OPERATORS OF THE UNITED STATES AND CANADA, LOCAL 16 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada, Local 16 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julia A. Clayton
DEPUTY CITY ATTORNEY

57681
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lim
Acting Clerk

File No. 93-95-14.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-15.1 ORDINANCE NO. 125-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BRICKLAYERS, STONE MASONS, TERRAZZA MECHANICS, MARBLE MASONS, POINTERS, CAULKERS AND CLEANERS, LOCAL UNION NO. 3 AND HOD CARRIERS LOCAL UNION NO. 36 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the amendment to the Memorandum of Understanding between the Bricklayers, Stone Masons, Terrazzo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local Union No. 3 and Hod Carriers, Local Union No. 36 and the City and County of San Francisco to be effective July 1, 1995 through June 30 1997. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julie A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 93-95-15.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-16.1 ORDINANCE NO. 126-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE THE UNITED UNION OF ROOFERS, WATERPROOFERS AND ALLIED WORKERS, LOCAL 40 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the amendment to the Memorandum of Understanding between the United Union of Roofers, Waterproofers and Allied Workers, Local 40 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 24, 1995	$	May 1, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng	$	Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lim
Acting Clerk

File No. 93-95-16.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-17.1 ORDINANCE NO. 127-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE PAINTERS UNION, LOCAL 4 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the amendment to the Memorandum of Understanding between the Painters Union, Local 4 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julia A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS
5664T

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lund
Acting Clerk

File No.
93-95-17.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-18.1 ORDINANCE NO. 128-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE GLAZIERS, ARCHITECTURAL METAL AND GLASS WORKERS, LOCAL UNION No. 718 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the amendment to the Memorandum of Understanding between the Glaziers, Architechtural Metal and Glass Workers, Local Union No. 718 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Joan Lewis
Acting Clerk

File No. 93-95-18.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-95-19.1 ORDINANCE NO. 129-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE PILE DRIVERS, DIVERS, CARPENTERS, BRIDGE, WHARF AND DOCK BUILDERS, LOCAL UNION NO. 34 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

57681
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 93-95-19.1

MAY 1 1995
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 22 1995
SAN FRANCISCO
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FILE NO. 93-95-20.1 ORDINANCE NO. 130-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BUILDING MATERIAL AND CONSTRUCTION TEAMSTERS, LOCAL 216 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julie A. Clayton
DEPUTY CITY ATTORNEY

57681

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Joan Lund
Acting Clerk

File No. 93-95-20.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 93-95-22.1 ORDINANCE NO. 131-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN FRANCISCO INSTITUTIONAL POLICE OFFICERS ASSOCIATION AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the San Francisco Institutional Police Officers Association and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki G. Clayton
DEPUTY CITY ATTORNEY

57681

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 24, 1995	§	May 1, 1995
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I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lem
Acting Clerk

File No. 93-95-22.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 93-95-24.1 ORDINANCE NO. 132-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE PROBATION OFFICERS ASSOCIATION, TEAMSTERS LOCAL 856 AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the Probation Officers Association, Teamsters Local 856 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

57681

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 24, 1995	§	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	§	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Fern
Acting Clerk

File No. 93-95-24.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 93-95-25.1 ORDINANCE NO. 133-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE DISTRICT ATTORNEY INVESTIGATORS ASSOCIATION AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the Memorandum of Understanding between the District Attorney Investigators Association and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1996. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

57681

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
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Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lem
Acting Clerk

File No. 93-95-25.1

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 93-95-26.1 ORDINANCE NO. 134-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BUILDING INSPECTORS ASSOCIATION, FOR 6334 CHIEF BUILDING INSPECTOR AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal provisions of the amendment to the Memorandum of Understanding between the Building Inspectors Association, for 6334 Chief Building Inspector and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1997. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

57681

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 93-95-26.1

MAY 1 1995
Date Approved

Mayor

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FILE NO. 93-95-27.1 ORDINANCE NO. 135-95

(Compensation)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BUILDING INSPECTORS ASSOCIATION, FOR 6331 BUILDING INSPECTOR AND 6333 SENIOR BUILDING INSPECTOR AND THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco. Section 1. The Board of Supervisors hereby implements the fiscal provisions of the amendment to the Memorandum of Understanding between the Building Inspectors Association, for 6331 Building Inspector and 6333 Senior Building Inspector and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1997. The fiscal provisions so enacted are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julie A. Clayton
DEPUTY CITY ATTORNEY

57681

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 93-95-27.1

MAY 1 1995
Date Approved

Mayor

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FILE NO. 106-95-2 ORDINANCE NO. 136-95

(Unrepresented Employees)

AN ORDINANCE FIXING COMPENSATION FOR PERSONS EMPLOYED BY THE CITY AND COUNTY OF SAN FRANCISCO WHOSE COMPENSATIONS ARE SUBJECT TO THE PROVISIONS OF SECTION 8.409 OF THE CHARTER, IN CLASSES NOT REPRESENTED BY AN EMPLOYEE ORGANIZATION, AND ESTABLISHING WORKING SCHEDULES AND CONDITIONS OF EMPLOYMENT AND METHODS OF PAYMENT, EFFECTIVE JULY 1, 1995.

Note: This entire Section is new.

BE IT ORDAINED BY THE PEOPLE OF THE
CITY AND COUNTY OF SAN FRANCISCO

Section 1. Pursuant to Charter Section 8.409-1, the Mayor hereby proposes and the Board of Supervisors approves the wages, hours and other terms and conditions of employment set forth herein to be applicable to all unrepresented classifications of City employment.

Section 2. Civil Service Rules, Administrative Code and Charter

Unless specifically addressed herein, those terms and conditions of employment which are currently set forth in the Charter, Administrative Code, Civil Service Rules policies and procedures, shall apply to employees covered by this ordinance.

Section 3. Pay, hours and benefits

SUPERVISOR SHELLEY

The wage rates for the employees covered by this ordinance for Fiscal Year 1995-1996 shall be the same as the wage rates in effect on June 30, 1995. The Department of Human Resources shall prepare a schedule of compensation including "Z" symbols (FLSA exempt) for all classifications covered by this ordinance.

EXCEPTION: Class 8135 Assistant Chief Victim/Witness Investigator shall be paid at salary schedule 61.2, $1809 - $2199 Biweekly.

Acting Assignment Pay

The Appointing Officer assigns duties to employees covered by this ordinance. Employees assigned by the Department Head or designee to perform the full range of essential functions of a position in a higher classification shall receive compensation at a higher salary if all of the following conditions are met:

(1) The assignment shall be in writing with copies to the Department of Human Resources and Controller.

(2) The assignment shall conform to all Civil Service Commission Rules, policies and procedures.

(3) The position to which the employee is assigned must be a budgeted position.

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(4) The employee is assigned to perform the duties of a higher classification for longer than thirty (30) consecutive working days.

a. If each of the above criteria are met and upon written approval by the Department Head, an employee shall be paid a one full salary step adjustment (approximately 5%) but which does not exceed the maximum step of the salary schedule of the class to which temporarily assigned. Premiums based on percent of salary shall be paid at a rate which includes out of class pay.

b. Requests for classification or reclassification review shall not be governed by this provision.

Supervisory Differential Adjustment

The Appointing Officer may adjust the compensation of a supervisory employee whose schedule of compensation is set herein subject to the following conditions:

1. The supervisor, as part of the regular responsibilities of his/her class, supervises, directs, is accountable for and is in responsible charge of the work of a subordinate or subordinates.

2. The supervisor must actually supervise the technical content of subordinate work and possess education and/or experience appropriate to the technical assignment.

3. The organization is a permanent one approved by the appointing officer, chief administrative officer, Board or Commission, where applicable, and is a matter of record based upon review and investigation by the Department of Human Resources.

4. The classifications of both the supervisor and the subordinate are appropriate to the organization and have a normal, logical relationship to each other in terms of their respective duties and levels of responsibility and accountability in the organization.

5. The compensation schedule of the supervisor is less than one full step (approximately 5%) over the compensation schedule, exclusive of extra pay, of the employee supervised. In determining the compensation schedule of a classification being paid a flat rate, the flat rate will be converted to a bi-weekly rate and the compensation schedule the top step of which is closest to the flat rate so converted shall be deemed to be the compensation schedule of the flat rate classification.

6. The adjustment of the compensation schedule of the supervisor shall not exceed 5% over the compensation exclusive of extra pay, of the employee supervised.

If the application of this section adjusts the compensation schedule of an employee in excess of his/her immediate supervisor, whose class is also covered by this ordinance the pay of such immediate supervisor shall be adjusted to an amount $1.00 bi-weekly in excess of the base rate of his/her highest paid subordinate, provided that the other applicable conditions

of this section are also met.

7. In no event will the Appointing Officer approve a supervisory salary adjustment in excess of two (2) full steps (approximately 10%) over the supervisor's current basic compensation. If in the following fiscal year a salary inequity continues to exist, the Appointing Officer may again review the circumstances and may grant an additional salary adjustment not to exceed two (2) full steps (approximately 10%).

8. The Human Resources Department shall review any changes in the conditions or circumstances that were and are relevant to the request for salary adjustment under this section.

Salary Step Plan and Salary Adjustments

Appointments to positions in the City and County service shall be at the entrance rate established for the position except as otherwise provided herein.

1. Promotive Appointment in a Higher Class

An employee or officer who is a permanent appointee following completion of the probationary period or six (6) months of permanent service, and who is appointed to a position in a higher classification, either permanent or temporary, deemed to be

promotive shall have his/her salary adjusted to that step in the promotive class as follows:

a. If the employee is receiving a salary in his/her present classification equal to or above the entrance step of the promotive class, the employee's salary in the promotive class shall be adjusted one step in the compensation schedule over the salary received in the lower class but not above the maximum of the salary range of the promotive classification.

b. If the employee is receiving a salary in his/her present classification which is less than the entrance step of the salary range of the promotive classification, the employee shall receive a salary step in the promotive class which is closest to an adjustment of 5% above the salary received in the class from which promoted. The proper step shall be determined in the bi-weekly compensation schedule and shall not be above the maximum of the salary range of the promotive class.

c. If the appointment deemed promotive is a temporary appointment, and the employee, following a period of continuous service at least equal to the prescribed probationary period is subsequently given another appointment, either permanent or temporary, deemed promotive from the prior temporary appointment class, the salary step in the subsequent promotive appointment shall be deemed promotive.

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For purpose of this Section, appointment of an employee as defined herein to a position in any class the salary schedule for which is higher than the salary schedule of the employee's permanent class shall be deemed promotive.

2. Non-promotive Appointment

When an employee accepts a non-promotive appointment in a classification having the same salary schedule, or a lower salary schedule, the appointee shall enter the new position at that salary step which is the same as that received in the prior appointment, or if the salary steps do not match, then the salary step which is immediately in excess of that received in the prior appointment, provided that such salary shall not exceed the maximum of the salary schedule.

3. Appointment Above Entrance Rate

Appointments may be made by an appointing officer at any step in the compensation schedule under the following conditions:

a. A former permanent City employee, following resignation with service satisfactory, is being reappointed to a permanent position in his/her former classification.

b. Loss of compensation would result if appointee accepts position at the normal

step.

c. A severe, easily demonstrated and documented recruiting and retention problem exists, such that all City appointments in the particular class should be above the normal step.

Flat Rate Converted to Salary Range. An employee serving in a class in the prior fiscal year at a flat rate which flat rate is changed to a compensation schedule number during the current fiscal year shall be paid on the effective date of such change the step in the current salary schedule closest to, but not below, the prior flat rate and shall retain the original anniversary date for future increments, when applicable.

Continuation of Salary Step Earned Under Temporary Appointment. When an employee is promoted under temporary appointment to a higher classification during a prior fiscal year and is continued in the same classification without a break in service in the current fiscal year, or is appointed to a permanent position in the same classification, such appointment shall be in accordance with the provisions of this ordinance, provided that the salary shall not be less than the same step in the salary schedule the employee received in the immediately prior temporary appointment.

Salary Anniversary Date Adjustment. Permanent employees working under provisional, exempt or temporary appointments in other classifications shall have their salary adjusted

in such other classifications when such employees reach the permanent class.

4. Compensation Upon Transfer or Reemployment

a. Transfer. An employee transferred from one department to another, same classification, shall transfer at his/her current salary, and if s/he is not at the maximum salary for the class, further increments shall be allowed following the completion of the required service based upon the seniority increment anniversary date in the former department.

b. Reemployment in Same Classification Following Layoff. An employee who has acquired permanent status in a position and who is laid off because of lack of work or funds and is re-employed in the same class after such layoff shall be paid the salary step attained prior to layoff.

c. Reemployment in an Intermediate Classification. An employee who has completed the probationary period in a promotive appointment that is two or more steps higher in an occupational series than the permanent position from which promoted and who is subsequently laid off and returned to a position in an intermediate ranking classification shall receive a salary based upon actual permanent service in the higher classification, unless such salary is less than the employee

would have been entitled to if promoted directly to the intermediate classification. Further increments shall be based upon the increment anniversary date that would have applied in the higher classification.

d. Reemployment in a Formerly Held Classification.

An employee who has completed the probationary period in an entrance appointment who is laid off and is returned to a classification formerly held on a permanent basis shall receive a salary based upon the original appointment date in the classification to which the employee is returned. An employee who is returned to a classification not formerly held on a permanent basis shall receive a salary step in the salary schedule for the classification closest to, but not below, the prior salary amounts, provided that salary shall not exceed the maximum of the salary schedule.

Methods of Calculation

1. Monthly. An employee whose compensation is fixed on a monthly basis shall be paid monthly or bi-weekly in accordance with State Law or other applicable provision. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

2. Bi-Weekly. An employee whose compensation is fixed on a bi-weekly basis shall be paid the bi-weekly salary for his/her position for work performed during the bi-weekly

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payroll period. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

3. Per Diem or Hourly. An employee whose compensation is fixed on a per diem or hourly basis shall be paid the daily or hourly rate for work performed during the bi-weekly payroll period on a bi-weekly pay schedule. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

4. Weekly. An employee whose compensation is fixed on a weekly basis shall be paid bi-weekly for work performed during the bi-weekly payroll period. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

5. Conversion of Annual or Monthly Rates to Semimonthly or Bi-Weekly Rates. When rates of compensation provided on an annual or monthly basis are converted to bi-weekly rates for payroll purposes and the resulting amount involves a fraction of a cent, the converted bi-weekly rate shall be adjusted to eliminate such fraction of a cent on the following basis:

a. A fraction of less than one-half (1/2) shall be dropped and the amount reduced to the next full cent.

b. A fraction of one-half (1/2) or more shall be increased to the next full cent.

6. Daily Rates for Monthly and Bi-Weekly Employees. A day's pay shall be determined by dividing the number of work days in a normal work schedule in a monthly payroll period (including specified holidays) into the monthly salary established for the position, or the amount of a day's pay shall be 1/10th of the compensation of a normal work schedule in a bi-weekly period (including specified holidays).

7. Conversion to Bi-Weekly Rates. Rates of compensation established on other than bi-weekly basis may be converted to bi-weekly rates by the Controller for payroll purposes.

Seniority Increments

1. Advancement Through Salary Steps.

a. Permanent employees may advance to the second step upon completion of six months service subject to approval of the appointing officer.

b. Employees who enter a classification at a rate of pay at other than the first step may advance one step upon completion of the one year required service subject to the approval of the appointing officer. Further increments may accrue following completion of the required service at this step and at each successive step.

2. Date Increment Due. Increments may accrue and become due and payable on the next day

following completion of required service as a permanent employee in the class and with approval of the appointing officer, unless otherwise provided herein.

3. Exceptions An employee shall not receive a salary adjustment based upon service as herein provided if he/she has been absent by reason of suspension or on any type of leave without pay (excluding a military leave) for more than one-sixth of the required service in the anniversary year, provided that such employee shall receive a salary increment when the aggregate time worked since his/her previous increment equals or exceeds the service required for the increment, and such increment date shall be his/her new anniversary date; provided that time spent on approved military leave or in an appointive or promotive position shall be counted as actual service when calculating salary increment due dates.

4. Increments may be withheld by the Appointing Officer as a result of identified performance deficiencies.

Work Schedules

1. Regular Work Schedules

a. Regular Work Day. Unless otherwise provided in this Agreement, a regular workday is a tour of duty of eight (8), hours of work completed within not more than twenty-four (24) hours.

b. Regular Work Week. The Appointing Officer shall determine the work schedule for employees in his/her department. A regular workweek is a tour of duty of five (5) worked days within a seven day period. However, employees who are moving from one shift or one work schedule to another may be required to work in excess of five working days in conjunction with changes in their work shifts or schedules.

Employees shall receive no compensation when properly notified (2-hour notice) that work applicable to the classification is not available because of inclement weather conditions, shortage of supplies, traffic conditions, or other unusual circumstances. Employees who are not properly notified and report to work and are informed no work applicable to the classification is available shall be paid for a minimum of two hours. Employees who have been designated by their department as emergency personnel must report to work as scheduled unless otherwise notified by the Appointing Officer of designee.

Employees who begin their shifts and are subsequently relieved of duty due to the above reasons shall be paid a minimum of two hours, and for hours actually worked beyond two hours, computed to the nearest one-quarter hour.

2. Night Duty

Employees, exclusive of employees in classes which are exempt from the Fair Labor Standards Act, who, as part of their regularly scheduled work shift, are required to

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work any hours between (six) 6:00 p.m. and (six) 6:00 a.m. shall receive a premium of 5% per hour in addition to their straight time hourly base rate of pay for any and all hours worked between (six) 6:00 p.m. and (six) 6:00 a.m. Excluded from this provision are those employees who participate in an authorized flex-time program where the work shift includes hours to be worked between the hours of (six) 6:00 p.m. and (six) 6:00 a.m. Day shift employees assigned to work during the night duty premium hours are not eligible for night duty premium. Payment of this premium shall be made for actual hours worked.

3. Alternate Work Schedule

The Appointing Officer may enter into cost equivalent alternate work schedules for some or all employees. Such alternate work schedules may include, but are not limited to, core hours flex-time; full-time work weeks of less than five (5) days; or a combination of features mutually agreeable to the parties. Such changes in the work schedule shall not alter the basis for, nor entitlement to, receiving the same rights and privileges as those provided to employees on five (5) day, forty (40) hour a week schedules.

4. Voluntary Reduced Work Week

Employees subject to the approval by the Appointing Officer may voluntarily elect to work a reduced work week for a specified period of time. Such reduced work

week shall not be less than twenty (20) hours per week. Pay, vacation, holidays and sick pay shall be reduced in accordance with such reduced work week.

Overtime Compensation

The Appointing Officer may require employees to work longer than the regular work day or the regular work week. Any time worked under proper authorization suffered to be worked by an employee, exclusive of part-time employees, in excess of 40 hours of actual paid work in a week shall be designated as overtime and shall be compensated at one-and-one-half times the base hourly rate which may include a night differential if applicable; provided however, that employees working in a flex-time program shall be entitled to overtime compensation as provided herein when required to work more than eighty hours per payroll period. Overtime shall be calculated and paid on the basis of the total number of straight-time hours actually worked in a week. Overtime compensation so earned shall be computed subject to all the provisions and conditions set forth herein.

Employees occupying Fair Labor Standards Act (FLSA) exempt (executive, administrative, or professional) positions shall not be paid for overtime worked but may be granted compensatory time off at the discretion of the Appointing Officer.

Employees covered by the FLSA who are required to work overtime shall be paid at a rate of one and one-half times the regular base rate, except by mutual agreement an employee

may accrue compensatory time in accordance with the paragraph above.

Fair Labor Standards Act

To the extent that this ordinance fails to afford employees the overtime or compensatory time off benefits to which they are entitled under the Fair Labor Standards Act, this ordinance authorizes and directs all City Departments to ensure that their employees receive, at a minimum, such Fair Labor Standards Act Benefits.

Standby Pay

Employees who, as part of the duties of their positions are required by the Appointing Officer to standby when normally off duty to be instantly available on call for immediate emergency service for the performance of their regular duties, shall be paid the Federal Minimum Wage per hour for the period of such standby service. During the standby period employees are relieved from duty and such hours are not to be considered hours worked under the FLSA. The issuance of an electronic paging device does not in itself constitute eligibility for standby pay. When such employees are called on to perform their regular duties in emergencies during the period of such standby service, they shall be paid while engaged in such emergency service the usual rate of pay for such service as provided herein.

Notwithstanding the general provisions of this section, standby pay shall not be allowed in classes

which are FLSA exempt (executive, administrative or professional).

Call Back

Employees (except those at remote locations where City supplied housing has been offered, or who are otherwise being compensated) who are called back to their work locations following the completion of his/her work day and departure from his/her place of employment, shall be paid at the applicable rate for all hours actually worked. This section shall not apply to employees who are called back to duty when on stand-by status.

Notwithstanding the general provisions of this section, call back pay shall not be allowed in classes which are FLSA exempt (executive, administrative or professional).

Pay Equity

In recognition of the desire of the City to phase out pay equity, pay equity adjustment amounts paid to covered employees in eligible classifications shall not exceed the 1993-94 levels. Employees in classes receiving an increases in wages and/or employer pick-up of the employee's share of retirement contribution as provided for in this Ordinance shall receive eighty percent (80%) of the increase(s), and the remaining twenty percent (20%) shall be considered as an offset against the pay equity adjustment:

Said offset shall not exceed the total pay equity adjustment.

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Effective July 1, 1995, pay equity adjustments shall be discontinued for classes in which no positions have been authorized and/or for which there are no incumbents.

Pay equity adjustments shall not be used as a basis for calculating salary, premium or benefit increases.

Holidays

Except when normal operations require, or in an emergency, employees shall not be required to work on the following days hereby declared to be holidays for such employees:

January 1 (New Year's Day)
the third Monday in January (Martin Luther King, Jr.'s Birthday)
the third Monday in February (President's Day)
the last Monday in May (Memorial Day)
July 4 (Independence Day)
the first Monday in September (Labor Day)
the second Monday in October (Columbus Day)
November 11 (Veteran's Day)
Thanksgiving Day
the day after Thanksgiving
December 25 (Christmas Day)

Provided further, if January 1, July 4, November 11 or December 25 falls on a Sunday, the Monday following is a holiday.

The City shall accommodate religious belief or observance of employees as required by law.

Three additional floating days off to be taken on days selected by the employee subject to prior scheduling approval of the appointing officer. Employees (both full-time and part-time) must complete six (6) months continuous service to establish initial eligibility for the floating days off. Employees hired on an as-needed, intermittent or seasonal basis shall not receive the additional floating days off. Floating days off may not be carried forward from one fiscal year to the next. No compensation of any kind shall be earned or granted for floating days off not taken.

Employees who have established initial eligibility for floating days off and subsequently separate from City employment, may at the sole discretion of the appointing authority, be granted those floating day(s) off to which the separating employee was eligible and had not yet taken off.
In addition, any day declared to be a holiday by proclamation of the Mayor after such day has heretofore been declared a holiday by the Governor of the State of California or the President of the United States.

For those employees assigned to a work week of Monday through Friday, and in the event a legal holiday falls on Saturday, the preceding Friday shall be observed as a holiday; provided, however,

that except where the Governor declares that such preceding Friday shall be a legal holiday, each department head shall make provision for the staffing of public offices under his/her jurisdiction on such preceding Friday so that said public offices may serve the public as provided in Section 7.702 of the Charter. Those employees who work on a Friday which is observed as a holiday in lieu of a holiday falling on Saturday shall be allowed a day off in lieu thereof as scheduled by the appointing officer in the current fiscal year. The City shall provide one week's advance notice to employees scheduled to work on the observed holiday, except in cases of unforeseen operational needs.

Holiday Compensation for Time Worked

Employees required by their respective Appointing Officers to work on any of the above-specified or to substitute holidays excepting Fridays observed as holidays in lieu of holidays falling on Saturday, shall be paid extra compensation of one (1) additional day's pay at time and one-half (1-1/2) the usual rate in the amount of twelve (12) hours' pay for eight (8) hours worked or a proportionate amount if less than eight (8) hours worked; provided, however, that at an employee's request and with the approval of the appointing officer, an employee may be granted compensatory time off in lieu of paid overtime.

Employees occupying positions which are exempt from the FLSA (Executive, administrative and professional) shall not receive extra compensation for holiday work but may be granted time off at the discretion of the Appointing Officer.

Holidays for Employees on Work Schedules Other Than Monday Through Friday

1. Employees assigned to seven (7) day-operation departments or employees working a five (5) day work week other than Monday through Friday shall be allowed another day off if a holiday falls on one of their regularly scheduled days off.

2. Employees whose holidays are changed because of shift rotations shall be allowed another day off if a legal holiday falls on one of their days off.

3. Employees required to work on a holiday which falls on a Saturday or Sunday shall receive holiday compensation for work on that day. Holiday compensation shall not then be additionally paid for work on the Friday preceding a Saturday holiday, nor on the Monday following a Sunday holiday.

4. Sections 2. and 3. above shall apply to part-time employees on a pro-rata basis.

If the provisions of this section deprive an employee of the same number of holidays that an employee receives who works Monday through Friday, s/he shall be granted additional days off to equal such number of holidays. The designation of such days off shall be by mutual agreement of the employee and the appropriate employer representative. Such days off must be taken within the fiscal year. In no event shall the provisions of this section result in such employee receiving more or less holidays than an employee on a Monday through Friday work schedule.

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Holiday Pay for Employees Laid Off

An employee who is laid off at the close of business the day before a holiday who has worked not less than five (5) previous consecutive workdays shall be paid for the holiday at their normal rate of compensation.

Employees Not Eligible for Holiday Compensation

Persons employed for holiday work only, or persons employed on a part-time work schedule which is less than twenty (20) hours in a bi-weekly pay period, or persons employed on an intermittent part-time work schedule (not regularly scheduled), or persons employed on as-needed, seasonal or project basis for less than six (6) months continuous service, or persons on leave without pay status both immediately preceding and immediately following the legal holiday shall not receive holiday pay.

Part-time Employees Eligible for Holidays

Part-time employees who regularly work a minimum of twenty (20) hours in a bi-weekly pay period shall be entitled to holiday pay on a proportionate basis.

Regular full-time employees are entitled to 8/80 or 1/10 time off when a holiday falls in a bi-weekly pay period, therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1//10 of the total hours regularly worked in a bi-weekly pay

period. Holiday time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the bi-weekly pay period immediately preceding the pay period in which the holiday falls. The computation of holiday time off shall be rounded to the nearest hour.

The proportionate amount of holiday time off shall be taken in the same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employee and the appropriate employer representative.

In-Lieu Holidays

(1) Requests for in-lieu holidays shall be made to the appropriate management representative within thirty (30) days after the holiday is earned and must be taken within the fiscal year.

(2) In-lieu days will be assigned by the appointing officer or designee if not scheduled in accordance with the procedures described herein

(3) An in-lieu holiday can be carried over into the next fiscal year only with the written approval of the appointing officer.

Sick Leave

Requests for sick leave in excess of forty (40) consecutive hours shall be certified by a licensed

medical doctor, doctor of dental surgery, doctor of podiatric medicine, licensed clinical psychologist, Christian Science practitioner, or licensed doctor of chiropractic. Verification of sick leave for less than forty (40) hours may be required at the sole discretion of the Appointing Officer or his/ her designee.

Health and Welfare and Dental Insurance

1. City Contribution

The City will maintain health and dental contributions at present levels for the life of this ordinance.

The City will contribute an additional $50.00 per month effective 10/01/95 for an employees dependent health care coverage; effective 1/1/96, $75 per month.

The City will cease payment of any and all contributions for employee health and dental benefits for those employees who remain on unpaid status, with the exception of approved sick leave, in excess of twelve (12) continuous weeks.

Retirement Pick-Up

The City shall pick-up the employee contribution to Retirement as follows:

As of October 1, 1995, the City will contribute to the appropriate pension plan:

- 2.0% of pension covered gross salary for old plan full rate SFERS members and new plan full rate members;
- 1.3% of pension covered gross salary for new plan reduced rate SFERS members;
- 2.0% of pension covered gross salary for PERS members
- 1.8% of pension covered gross salary for old plan reduced rate SFERS members

An additional 1.0% of pension covered gross salary as of 1/1/96 for old plan full rate members, PERS members and new plan full rate members

An additional 1.5% of pension covered gross salary as of 4/1/96 for old plan full rate members, PERS members and new plan full rate members

The aforesaid contributions shall not be considered as a part of an employee's compensation for the purpose of computing straight time earnings, compensation for overtime worked, premium pay, or retirement benefits; nor shall such contributions be taken into account in determining the level of any other benefit which is a function of or percentage of salary.

Health, Retirement and Wage Increases - Effective Dates

For health, retirement and wage increases all payments required by the City shall be effective as of the pay period following the effective date listed herein

Health Care Benefits

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The level of the City's contribution to health benefits will be set in accordance with the requirements of Charter Sections 8.423 and 8.428.

Section 4. Training, Career Development and Incentives

Unrepresented employees shall be on paid status when assigned to attend required educational programs scheduled during normal working hours.

Savings Clause

Should any part hereof or any provision herein be declared invalid by any decree of court of competent jurisdiction, such invalidation of such part or portion of this ordinance shall not invalidate the remaining portions hereof and the remaining portions hereof shall remain in full force and effect for the duration of this ordinance.

This Ordinance shall be effective July 1, 1995.

APPROVED AS TO FORM:

LOUISE RENNE, CITY ATTORNEY

By Vidi A. Clayton

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 106-95-2

MAY 1 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 46-95-5 ORDINANCE NO. 137-95

[SETTLEMENT OF LITIGATION]

AUTHORIZATION SETTLEMENT LITIGATION OF THE CITY AND COUNTY OF SAN FRANCISCO AGAINST FISCHER & PORTER COMPANY; AND RELIANCE INSURANCE COMPANY FOR $200,000.00 PLUS PARTS VALUED AT APPROXIMATELY $175,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "CITY AND COUNTY OF SAN FRANCISCO v. FISCHER & PORTER COMPANY; AND RELIANCE INSURANCE COMPANY," United States District Court, Northern District of California, No. C 93-0385 CAL, by the receipt of $200,000.00, plus parts valued at approximately $175,000.00.

APPROVED AS TO FORM AND RECOMMENDED

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED AND APPROVED:

DEPARTMENT OF PUBLIC WORKS

JOHN CRIBBS
Director

CHIEF ADMINISTRATIVE OFFICER

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 17, 1995	April 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 46-95-5

MAY 4 1995
Date Approved

Mayor

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PUBLIC LIBRARY
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CIVIC CENTER LIBRARY
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FILE NO. 97-94-82 AS AMENDED IN COMMITTEE 4/12/95 ORDINANCE NO. 138-95

(OVERTIME - BI-ANNUAL REPORT)

AMENDING CHAPTER 18 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 18.13 THEREOF, REQUIRING ALL CITY DEPARTMENTS TO BI-ANNUALLY REPORT OVERTIME EXPENDITURES IN EXCESS OF 5% OF BUDGETED STRAIGHT-TIME WAGES TO THE BOARD OF SUPERVISORS AND ANALYZE WHETHER HIRING ADDITIONAL EMPLOYEES WOULD BE MORE COST EFFECTIVE THAN THE OVERTIME HOURS.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 18 of the San Francisco Administrative Code is hereby amended by amending Section 18.13 to read as follows:

SEC. 18.13. MAXIMUM PERMISSIBLE OVERTIME. (a) No appointing officer shall suffer or permit any employee to work overtime hours that exceed, in any fiscal year, 16 percent of the number of hours that the employee is regularly scheduled to work on a straight-time basis in that fiscal year. For the purpose of calculating the maximum number of overtime hours an employee is permitted to work under this Section, hours attributed to vacation shall be deemed included in the hours the employee is regularly scheduled to work on a straight-time basis in a fiscal year.

(b) The appointing officer of every department shall submit a bi-annual report on May 1 and October 1 of each year to the Board of Supervisors justifying departmental overtime expenditures which exceed 5% of total budgeted straight-time wages or which reach $1.0 million annually or more in overtime wages (i.e. overtime wages for uniform members of the Police and Fire

4/12/95 grh

Departments, Transit Operators, Transit Operator Supervisors, Nurses and emergency workers are not exempt). The report shall also analyze whether hiring additional part-time or full-time employees would be more cost effective than overtime expenditure.

(((b))) (c) An appointing officer may, by written authorization, require an employee to work overtime hours in excess of the limitation set forth in Subsection (a). The appointing officer shall submit a biannual report to the Board of Supervisors justifying any excess overtime granted pursuant to this Subsection.

(((c))) (d) This Section shall not apply to overtime worked by any employee where the City and County of San Francisco incurs no direct or indirect additional costs and where the employee acquires no right to compensatory time off. For the purposes of this Section, "direct or indirect additional costs" includes any additional salary, wages, compensatory time or any other benefit provided at that time or deferred until a later date.

(((d))) (e) Except as provided in subsection (b), ((T))the provisions of this Section shall not apply to work performed by members of the uniformed ranks of the police and fire departments, transit operators and transit operator supervisors of the San Francisco Municipal Railway, nurses and other emergency workers employed by the Department of Public Health, or any other employee when the work is required pursuant to a standing directive of the appointing officer to complete a task after the end of the employee's regularly scheduled shift or to fill emergency staff shortages.

(((e))) (f) The intent of the Board of Supervisors, in adopting this Section, is to establish administrative procedures for the guidance of its

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appointing officers. It is not assuming, nor is it imposing on the City and County of San Francisco or on its officers or employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach caused injury.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R Sakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 17, 1995	April 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 97-94-82

MAY 5 1995
Date Approved

Frank M. Jordan
Mayor

AS AMENDED IN COMMITTEE
4/12/95

FILE NO. 101-94-71 ORDINANCE NO. 139-95

95 FEB 23 AM 11:50

(Government Funding) RO# 94184
SA#74

/12/95 grh

$118,499 ~~Eight~~ TWENTY-EIGHT (28)

APPROPRIATING ~~$277,618~~ OF AIRPORT OPERATING FUNDS TO SALARIES AND FRINGE BENEFITS FOR THE CREATION OF ~~THIRTY THREE (33)~~ POSITIONS AND THE DELETION OF OF ONE (1) POSITION TO ALLOW THE AIRPORT TO IMPLEMENT THE MASTER PLAN AND RELATED MITIGATION PROGRAM FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
30-001	Airport Operating Fund		
27-99-00	Airport Commission		
GL301 (022012)	Unreserved Fund Balance	$118,499 ~~$277,618~~	
01-0010 (570416)	Permanent Salaries		$116,768 ~~$233,536~~
04-0600	Mandatory Fringe Benefits		$22,041 ~~$44,082~~
	Total	$118,499 ~~$277,618~~	$118,499 ~~$277,618~~

/12/95 grh

/23/95 rh

Section 2. Funds are hereby appropriated for the creation of ~~thirty-three (33)~~ twenty-eight (28) positions and the deletion of one (1) position by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-94-71) as follows:

BOARD OF SUPERVISORS

4/12/95 grh

Index Code 570416; Sub-Object 0010:

CLASS NO.	NAME OF CLASSIFICATION	RATE	NUMBER OF POSITIONS CREATED
~~1203 N~~	~~Personnel Technician~~	~~1249B1500~~	~~1~~
~~1242 N~~	~~Personnel Analyst~~	~~1520B1844~~	~~1~~
1244 N	Senior Personnel Analyst	1844B2242	1
~~1630 N~~	~~Account Clerk~~	~~1013B1226~~	~~1~~
1659 S	Chief Systems Accountant	2342B2847	1
1721 N	Data Entry Operator	1032B1249	2
1802 N	Research Assistant	1316B1596	1
1818 N	MIS Specialist II	1565B1890	1
~~1840 N~~	~~Junior Management Assistant~~	~~1255B1560~~	~~1~~
1842 N	Management Assistant	1421B1723	1
1844 N	Senior Management Assistant	1626B1626	1
3424 N	Pest Control Specialist	1436B1740	1
3632 N	Librarian II	1698B2063	1
5263 N	Planner V	2472B3005	1
5298 N	Planner III	1756B2135	1
6138 N	Industrial Hygienist	2156B2621	1

BOARD OF SUPERVISORS

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CLASS NO.	NAME OF CLASSIFICATION	RATE	NUMBER OF POSITIONS CREATED
7110 N	Mobile Asst. Equipment Supervisor	1871B2274	1
7262 N	Maintenance Planner	1890B2297	1
~~7308 N~~	~~Cable Splicer~~	~~2412B2412~~	~~1~~
7344 N	Carpenters	2014B2014	2
7345 N	Electrician	2135B2135	2
7348 N	Steamfitter	2319B2319	1
7355 N	Truck Driver	1484B1890	1
7375 N	Apprentice Stationary Engineer	1247B1630	2
7376 N	Sheetmetal Worker	1918B2332	3
9204 N	Communications Supervisor	1626B1975	1
9222 N	Operations Coordinator	2094B2545	1
	Total Positions Created		28 ~~-33-~~

4/12/95 grh

4/12/94 grh

CLASS NO.	NAME OF CLASSIFICATION	RATE	NUMBER OF POSITIONS DELETED
1658 S	Chief Accountant	2230B2711	1

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

DEPARTMENT OF HUMAN RESOURCES

BY: _____
DIRECTOR

n:\excel\budget\27sa#74

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____
CONTROLLER

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 17, 1995	April 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
101-94-71

MAY 5 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 101-94-84 ORDINANCE NO. 140-95

(Government Funding) RO#94128
SA#43

APPROPRIATING $149,520 FROM THE GENERAL FUND RESERVE TO PROFESSIONAL SERVICES TO ALLOW THE BOARD OF SUPERVISOR'S BUDGET ANALYST TO CONDUCT ZERO BASE BUDGET ANALYSIS OF VARIOUS CITY DEPARTMENTS FOR FISCAL YEAR 1994-95. PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	General Fund Unallocated		
GL 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Fund Reserved	$149,520	
01-00-00	Board of Supervisors		
10-1001 (300012)	Prof.-Special Service Contracts		$149,520
	Total	$149,520	$149,520

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY
s:\apro\01sa#43

FUNDS AVAILABLE:

BY: [signature]
CONTROLLER

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 17, 1995	April 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisor Teng	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No. 101-94-84

MAY 5 1995
Date Approved

[signature]
Mayor

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AS DIVIDED IN COMMITTEE
4/12/95

FILE NO. 101-94-85.1

ORDINANCE NO. 141-95

(Government Funding)

RO#94199
SA#101-1

APPROPRIATING $267,000 FROM SALARIES AND FRINGE BENEFITS TO ALLOW TRIAL COURTS TO PAY FEES OF ATTORNEYS AND EXPERT WITNESSES FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
11-00-00	Trial Courts		
01-0100 (317214)	Permanent Salaries - Miscellaneous	$267,000	
01-0400	Fees and Other Compensation		$267,000
	Total	$267,000	$267,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

n:\excel\approp\11SA#101

Board of Supervisors, San Francisco

Passed for Second Reading
April 17, 1995

Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley

Absent: Supervisor Teng

Finally Passed
April 24, 1995

Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No.
101-94-85.1

MAY 5 1995
Date Approved

[signature]
Mayor

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FILE NO. 101-94-86.1

AS AMENDED IN COMMITTEE
4/12/95

ORDINANCE NO. 142-95

(Government Funding)

RO#94202
SA#73-2

APPROPRIATING $52,000 OF 1992 FIRE PROTECTION BOND PROCEEDS FOR CAPITAL IMPROVEMENT PROJECT (FIRE STATION 41) FOR THE FIRE DEPARTMENT FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
05-623	1992 Fire Station Improvement Bonds		
31-00-00	Fire Department		
Project 100-01	Architectural and Design		
55-5500 (057968)	Proceeds of Sale of Bonds	$52,000	
Project 510-01	Design and Architectural		
20-2030 (530170)	Capital Improvement Project		$52,000
	Total	$52,000	$52,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

Board of Supervisors, San Francisco

Passed for Second Reading

April 17, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley

Absent: Supervisor Teng

Finally Passed

April 24, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No. 101-94-86.1

MAY 5 1995
Date Approved

[signature]
Mayor

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FILE NO. 101-94-87

AS AMENDED IN COMMITTEE 4/12/95

ORDINANCE NO. 143-95

(Government Funding)

RO#94200
SA#99

4/12/95 grh

APPROPRIATING AND CERTIFYING ~~$26,364~~ $26,634 FOR CAPITAL IMPROVEMENT PROJECT TO COVER 10% OVERAGE AS PER CHARTER SECTION 7.203, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN, DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1994-1995.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
35-801	Clear Water Fund Group		
90-06-00	Public Works - Engineering		
Project 690-40	SEWPCP Gas Pipelines		
20-2030 (542985)	Capital Improvement Project	$26,634 ~~$26,364~~	$26,634 ~~$26,364~~

4/12/95

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY [signature]

s:\excel\budget\90sa99

cc

Board of Supervisors, San Francisco

Passed for Second Reading

April 17, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley

Absent: Supervisor Teng

Finally Passed

April 24, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No. 101-94-87

MAY 5 1995
Date Approved

[signature]
Mayor

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FILE NO. 101-94-89

AS AMENDED IN COMMITTEE 4/12/95

AS AMENDED 4/17/95

ORDINANCE NO. 144-95

RO#94215
SA#112

APPROPRIATING $325,000 FROM THE SPECIAL RECREATION AND PARK REVENUE FUND (RENT CREDIT FROM THE SAN FRANCISCO 49'ERS) TO ALLOW THE RECREATION AND PARK DEPARTMENT TO MAKE CAPITAL IMPROVEMENTS TO CANDLESTICK PARK FOR FISCAL YEAR 1994-95; PLACING ~~$325,000~~ $141,000 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
02-229	Special Recreation & Park Rev. Fund		
42-00-00	Recreation and Park		
82-8240 (002196)	Candlestick Park Parking	$325,000	
Project 401-01	Candlestick - Infrastructure		
20-2030 (375782)	Capital Improvement Project		$325,000
	Total	$325,000	$325,000

Section 2. Funds in the amount of ~~$325,000~~ $141,000 are hereby placed on reserve, pending provision by the Department of Public Works of a detailed scope of work with projected hours by type of staff for ~~each of~~ the ~~four~~ project ~~phases~~ phase IV and is to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Loren J. Owen
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: John W. Madden

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 17, 1995	April 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Juan Lum
Acting Clerk

File No. 101-94-89

MAY 5 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 102-94-12 AS AMENDED IN COMMITTEE 4/12/95 ORDINANCE NO. 145-95

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 11

AMENDING ORDINANCE NO. 293-94 (ANNUAL SALARY ORDINANCE, 1994/95)

REFLECTING THE ADDITION OF ~~THIRTY-THREE (33)~~ TWENTY-EIGHT (28) POSITIONS AND THE DELETION OF ONE (1) POSITION AT THE SAN FRANCISCO INTERNATIONAL AIRPORT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance 293-94 (Annual Salary Ordinance, 1994-95) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class and Item No.	Class Title		Compensation Schedule
	Department:		27 Airport		
	Division:		99 Airport Costs		
	Section:		00 Airport Costs		
	Program:		2405 Airport Operation & Maintenance		
	Fund:		30001 Airport Operating Fund		
	Index:		570416 Airport Costs		
	Proj/Phase:		000/00 Unassigned Title		
	Object:		001 Permanent Salaries/Miscellaneous		
~~1 added~~	~~1~~	~~1203 N Personnel Technician~~		~~SC~~	~~$1243B1506~~
~~1 added~~	~~1~~	~~1242 N Personnel Analyst~~		~~SC~~	~~$1520B1844~~
1 added	1	1244 N Sr. Personnel Analyst		SC	$1844B2242
~~1 added~~	~~1~~	~~1630 N Account Clerk~~		~~SC~~	~~$1013B1226~~
1 added	1	1659 S Chief Systems Accountant		Z,SC	$2342B2847
2 added	2	1721 N Data Entry Operator		SC	$1032B1249
1 added	1	1802 N Research Assistant		SC	$1316B1596
1 added	1	1818 N MIS Specialist II		Z,SC	$1565B1899
~~1 added~~	~~1~~	~~1840 N Jr. Management Assistant~~		~~SC~~	~~$1255B1560~~
1 added	1	1842 N Management Assistant		Z,SC	$1421B1723
1 added	1	1844 N Sr. Management Assistant		Z,SC	$1626B1626
1 added	1	3424 N Pest Control Specialist		SC	$1436B1740
1 added	1	3632 N Librarian II		SC	$1698B2063
1 added	1	5263 N Planner V		Z,SC	$2472B3005
1 added	1	5298 N Planner III		Z,SC	$1756B2135
1 added	1	6138 N Industrial Hygienist		Z,SC	$2156B2621
1 added	1	7110 N Mobile Asst. Equip. Supv.		Z,SC	$1871B2274
1 added	1	7262 N Maintenance Planner		SC	$1890B2297
~~1 added~~	~~1~~	~~7308 N Cable Splicer~~		~~SC~~	~~$2412B2412~~
2 added	2	7344 N Carpenter		SC	$2014B2014
2 added	2	7345 N Electrician		SC	$2135B2135
1 added	1	7348 N Steamfitter		SC	$2319B2319
1 added	1	7355 N Truck Driver		SC	$1484B1890
2 added	2	7375 Apprentice Stationary Engr.		SC	$1247B1630
3 added	3	7376 N Sheetmetal Worker		SC	$1918B2332
1 added	1	9204 N Communications Supv.		SC	$1626B1975
1 added	1	9222 N Operations Coordinator		SC	$2094B2545
1 abolished	1	1658 S Chief Accountant			$2230B2711

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

Wendell Pryor
HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

by Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 11

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 17, 1995	§	April 24, 1995
	§	
	§	
Ayes: Supervisors Alioto Ammiano	§	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	§	Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng	§	Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
102-94-12

MAY 5 1995
Date Approved

Mayor

FILE NO. 27-95-7 ORDINANCE NO. 146-95

(Airport-Lease Modification)

APPROVING, RETROACTIVELY, MODIFICATION NO. 11 OF LEASE AND USE AGREEMENT BETWEEN UNITED AIR LINES, INC. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves, retroactively, Modification No. 11 of the Lease and Use Agreement between United Air Lines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Modification are contained in Board of Supervisor's file number 27-95-7.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 17, 1995	April 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Acting Clerk

File No. 27-95-7

MAY 5 1995
Date Approved

_____
Mayor

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FILE NO. 36-95-1.1 ORDINANCE NO. 147-95

[Zoning Map Change]

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED AT 2430 CHESTNUT STREET, LOT 12, ASSESSOR'S BLOCK 930 FROM AN RH-3 DISTRICT TO AN NC-2 NEIGHBORHOOD COMMERCIAL DISTRICT AND ADOPTING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to resolution of the Board of Supervisors, adopting the final negative declaration as its own, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Description of Property	Use District to be Superseded	Use District Hereby Approved
Beginning at a point on the northerly line of Chestnut Street, distant thereon 143 feet and 9 inches westerly from the westerly line of Divisadero Street; running thence westerly along said line of Chestnut Street 25 feet; thence at a right angle northerly 137 feet and 6 inches; thence at a right angle easterly 25 feet; and thence at a right angle southerly 137 feet and 6 inches to the point of beginning; being all of Lot 12 in Assessor's Block 930.	RH-3 (House, Three Family District)	NC-2 (Small Scale Neighborhood Commercial District

Section 2. Pursuant to Planning Code Section 101.1, this Board of Supervisors adopts City Planning Commission Resolution No. 13779 approving findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:

LOUISE RENNE, CITY ATTORNEY

By Judith A. Boyajian
Deputy City Attorney

RECOMMENDED

CITY PLANNING COMMISSION

By L. P. Blazej
Lucian Blazej
Director of Planning

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PUBLIC LIBRARY

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 17, 1995	$	April 24, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh Kaufman
Kennedy Migden Shelley Teng	$	Kennedy Leal Migden Shelley Teng
	$	
Absent: Supervisor Leal	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
36-95-1.1

MAY 5 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 45-95-10

ORDINANCE NO. 148-95

RO #94210

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF TINA MILLA SOSA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $10,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "TINA MILLA SOSA v. CITY AND COUNTY OF SAN FRANCISCO, et al.,"San Francisco Superior Court No. 963-609, by the payment of $10,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

John E. CRIBBS
Director, Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450' $10,000.00

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

4287b

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 17, 1995	April 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-95-10

MAY 5 1995
Date Approved

Mayor

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FILE NO. 45-95-11 ORDINANCE NO. 149-95

RO #94213

[SETTLEMENT OF LAWSUIT]

AUTHORIZATION OF SETTLEMENT OF LITIGATION OF MICHAEL EUGENE WASHINGTON AGAINST CITY AND COUNTY OF SAN FRANCISCO FOR $29,000 AND WAIVER OF MEDICAL LIEN IN THE AMOUNT OF $3,696.44.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled Michael Eugene Washington v. City and County of San Francisco, et al., San Francisco Superior Court Case No. 945-999, by the payment of $29,000 and waiving a medical lien in the amount of $3,696.44.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 86
309807 1450 $29,000.00

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

DR. SANDRA HERNANDEZ
Director

APPROVED:

PUBLIC HEALTH COMMISSION

SECRETARY

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 17, 1995	April 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-95-11

MAY 5 1995
Date Approved

Mayor

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FILE NO. 97-95-14 ORIGINAL When Stamped In Red ORDINANCE NO. 150-95

(Home Ownership Assistance Loan Fund)

AMENDING SECTION 10.117-76 OF THE SAN FRANCISCO ADMINISTRATIVE CODE TO ALLOW MONIES FROM THE HOME OWNERSHIP ASSISTANCE LOAN FUND TO BE LOANED TO NONPROFIT CORPORATIONS FOR (i) THE PURCHASE OF HOUSING UNITS FOR RESALE TO LOW AND MODERATE INCOME HOUSEHOLDS AND (ii) CURING DEFAULTS ON SENIOR LOANS ON HOUSING UNITS WHICH HAVE RECEIVED SECONDARY CITY FINANCING; AND TO DESIGNATE THE MAYOR'S OFFICE OF HOUSING, OR ITS SUCCESSOR, AS THE ADMINISTRATOR OF THAT FUND.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 10.117-76 of the San Francisco Administrative Code is hereby amended to read as follows:

SEC. 10.117-76. **HOME OWNERSHIP ASSISTANCE LOAN FUND.**

(a) **Establishment of Fund.** There is hereby established a special fund for the purpose of expanding home ownership opportunities for first-time home buyers who are persons, ((or)) families or households of low or moderate income. Low income is defined as up to 80 percent of the median income and moderate income as 81 percent to 120 percent of the median income for San Francisco. Median income will be the current amount as defined by the Department of Housing and Urban Development. Said special fund shall be known as the Home Ownership Assistance Loan Fund.

(b) **Use of Money in Fund.** Money from the Home Ownership Assistance Loan Fund may be used (i) to provide loans to low and moderate income individuals, ((and)) families and households, and (ii) to provide loans to nonprofit corporations for the purchase of housing units to be resold to low and moderate income individuals, families and households; or for curing a default on a senior loan made with respect to a unit that has secondary financing from the City. The loans may be used to assist with the acquisition of housing units constructed on surplus City sites that otherwise would not be affordable to low and moderate income households.

(c) **Administration of Fund.** The Mayor's Office of Housing, or its successor, shall administer a loan program under the Home Ownership Assistance Loan Fund, and in such capacity shall (1) prepare and service loan agreements; (2) receive payments from loans, maintain current accounts showing principal, interest, shared appreciation and fees relating to the loans made from the Home Ownership Assistance Loan Fund; and (3) allocate funds for administration associated with the operation of the Home Ownership Assistance Loan Fund, such administrative funds being limited to interest earnings generated by loans, the share of appreciation accruing to City as outlined in the loan agreements, collection of fees and proceeds of investments of unexpended cash balances from the Home Ownership Assistance Loan Fund. Administrative expenses shall be appropriated through the

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annual budget process or supplemental appropriation for the Mayor's Office of Housing, or its successor.

(d) **Authorization to Expend.** The ((Executive)) Director of the Mayor's Office of Housing, or its successor, shall approve expenditures from the Fund. The funds are deemed appropriate solely for the purposes set forth in Sections (a), (b) and (c) above.

(e) **Accrual of Monies in Fund.** Any unexpended balances of principal or interest earnings remaining in the Home Ownership Assistance Loan Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Section 6.306 of the Charter and shall be carried forward and accumulated in the Home Ownership Assistance Loan Fund for the purposes recited herein.

(f) **Deposit of Monies in Fund.** Monies from repayment of promissory notes utilized by the City on surplus City sites which have been sold for the development of low and moderate income housing and monies generated by repayment of loans from the Home Ownership Assistance Loan Fund shall be deposited into the Home Ownership Assistance Loan Fund and used only for the specific purpose defined in this Section 10.117-76 of the San Francisco Administrative Code.

(g) **Reporting on Program Status.** The Mayor's Office of Housing, or its successor, shall report annually to the Board of Supervisors on the current status of the Home Ownership

Assistance Loan Fund, the amounts approved for disbursement, the number and types of units assisted, and shall make recommendations for any changes deemed necessary to improve the effectiveness of the Home Ownership Assistance Loan Fund in achieving its purpose.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 17, 1995	§	April 24, 1995
	§	
	§	
Ayes: Supervisors Alioto Ammiano	§	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	§	Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng	§	Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
97-95-14

MAY 5 1995
Date Approved

Mayor

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FILE NO. 97-95-17 ORDINANCE NO. 151-95

[1995 Joint Fundraising Drive]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.93-4, ESTABLISHING THE SCHEDULE FOR THE CONDUCT OF THE ANNUAL JOINT FUNDRAISING DRIVE, BY AMENDING THE SCHEDULE TO PROVIDE LATER DEADLINES FOR FILING APPLICATIONS TO PARTICIPATE AND FOR DESIGNATING PARTICIPATING AGENCIES FOR THE 1995 ANNUAL DRIVE ONLY.

Note: Additions are underlined; there are no deletions.

Be it ordained by the People of the City and County of San Francisco:

SEC. 16.93-4. Schedule of the Annual Drive.

a. By March 1 of each year agencies that wish to participate in the upcoming Annual Drive shall submit their applications to participate with the Board of Supervisors. Provided that only for the 1989 Annual Drive, agencies that wish to participate in the 1989 Annual Drive shall submit their applications to participate with the Board of Supervisors by May 15, 1989. Provided that only for the 1995 Annual Drive, agencies that wish to participate in the 1995 Annual Drive shall submit their applications to participate with the Board of Supervisors by May 1, 1995. By March 1 the Mayor shall also designate the Chair for the upcoming Annual Drive. Provided that only for the 1989 Annual Drive, the Mayor shall designate the Chair for the 1989 Annual Drive by May 15, 1989. Provided that only for the 1995 Annual Drive, the Mayor shall

designate the Chair for the 1995 Annual Drive by May 1, 1995.

b. By March 1 of each year the Chair of the preceding Annual Drive shall report to the Mayor and the Board of Supervisors on the success of the concluded Annual Drive including the level of employee designations to each federated agency. Provided that only for 1989, the Chair of the preceding Annual Drive shall filed the report to the Mayor and the Board of Supervisors as required by this Section by May 15, 1989. Provided that only for 1995, the Chair of the preceding Annual Drive shall file the report to the Mayor and the Board of Supervisors as required by this Section by May 1, 1995.

c. By May 1 of each year, the Board of Supervisors, by resolution, shall designate those agencies that qualify to participate in the City's Annual Drive for that year. Provided that only for the 1989 Annual Drive, the Board of Supervisors shall designate those agencies that qualify to participate in the 1989 Annual Drive by June 15, 1989. Provided that only for the 1995 Annual Drive, the Board of Supervisors shall designate those agencies that qualify to participate in the 1995 Annual Drive by June 1, 1995.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

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DOCUMENTS DEPARTMENT
CIVIC CENTER LIBRARY
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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 17, 1995	$	April 24, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng	$	Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
97-95-17

MAY 5 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-94-80 As amended 4/24/95 ORDINANCE NO. 152-95

(Government Funding) RO#94191 SA#94

APPROPRIATING $533,277 OF FEDERAL REVENUE AND RESCINDING $59,253 FROM OTHER NON-PERSONAL SERVICES TO FUND $592,530 OF COMPUTER EQUIPMENT FOR THE STATEWIDE AUTOMATED CHILD SUPPORT SYSTEM FOR THE DISTRICT ATTORNEY-FAMILY SUPPORT FOR FISCAL YEAR 1994-95; PLACING $592,530 ON RESERVE.

4/24/95 rt

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
04-02-00	District Attorney - Family Support		
60-6319 (044115)	Child Support Federal Aid	$533,277	
10-1900(303461)	Other Non-Personal Services	$59,253	
22-2231 (303610)	Equipment - Computer		$592,530
	Total	$592,530	$592,530

4/24/95 rt

*Section 2.

APPROVED AS TO FORM
LOUISE H. RENNE CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY
n:\excel\appro\04SA#94

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

4/24/95 rt

*That the total amount of $592,530 be placed on reserve pending renegotiation of contract prices and specifications by the State Department of Social Services. The offices of the Controller and Budget Analyst shall review the renegotiated contract for suitability of equipment specifications and price and shall make recommendations regarding release of the reserved funds to the Budget Committee.

Board of Supervisors, San Francisco

Passed for Second Reading
April 24, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

Finally Passed
May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No. 101-94-80

MAY 12 1995
Date Approved

[signature]
Mayor

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PUBLIC LIBRARY

FILE NO. 101-94-92

ORDINANCE NO. 153-95

(Government Funding)

RO# 94209
SA#105

APPROPRIATING $35,000 FROM THE GENERAL FUND RESERVE TO NON-PERSONAL SERVICES TO ALLOW THE MAYOR'S OFFICE TO PROVIDE FUNDING FOR THE MOBILIZATION AGAINST AIDS THROUGH THE COMMUNITY UNITED AGAINST VIOLENCE FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
GL496 (000026)	Unappropriated Revenue Reserve		
Subsidiary 000006	General Reserve	$ 35,000	
25-01-00	Mayor - General Office		
10-1001 (325043)	Non-Personal Services		$ 35,000
	Total	$ 35,000	$ 35,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

BOARD OF SUPERVISORS
Supervisor Alioto

cc

Board of Supervisors, San Francisco

Passed for Second Reading
April 24, 1995

Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng

Finally Passed
May 1, 1995

Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No.
101-94-92

MAY 12 1995
Date Approved

[signature]
Mayor

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FILE NO. 97-95-11 ORDINANCE NO. 154-95

[Parking Rates for Special Events]

AMENDING CHAPTER 17 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 17.17 TO PERMIT THE PARKING AUTHORITY COMMISSION TO ADJUST RATES CHARGED AT PUBLIC OFF-STREET PARKING FACILITIES TEMPORARILY ON ACCOUNT OF A SPECIAL EVENT.

NOTE: Additions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 17.17 to read as follows:

SEC. 17.17. CONTROLLER'S STUDY AND REPORT; RECOMMENDATIONS OF PARKING AUTHORITY; ADJUSTMENT OF RATES BY BOARD; PETITION TO CHANGE RATES; TEMPORARY ADJUSTMENT OF RATES BY PARKING AUTHORITY COMMISSION. Between March 1st and June 1st of each year the Controller shall conduct a survey and study of the operation of each facility leased with respect to the rates and charges imposed on the public for the use thereof and the results of the operation of such facility thereunder and shall render a written report thereon to the Board of Supervisors and to the Parking Authority and shall forward a copy of such report to the Director of Property.

The Parking Authority shall examine all such Controller's reports and submit its recommendations to the Board upon the subject of such rates and charges and any other regulations or restrictions relating to the operation of any such facility as it may deem appropriate.

The Board shall review such reports and the public parking rates, charges and regulat ons then in effect, and shall by resolution adopted by a majority

vote of the Board, adjust the rates, charges and regulations to provide an adequate return to each lessee and to protect the public interest. Each lessee shall have the right at all times to petition the Board for an adjustment in public parking rates and charges or a change in regulations applicable to the facility of which he or she is lessee. The lessee shall file copies of such petition with the Parking Authority and the Controller, both of whom shall report thereon to the Board within 30 days of such filing or within such further time as may be allowed by motion of the Board. Regulations established by the lessee for the operation of a facility and parking rates and charges shall at all times be subject to review and change by the Board.

Notwithstanding the foregoing or any prior action of the Board of Supervisors, the Parking Authority Commission may, on account of a special event and in its discretion, adjust rates and charges for parking at any public off-street parking facility for which the Board of Supervisors ordinarily fixes rates and charges; provided that:

(a) The rate adjustment is not in breach of any contractual obligations;

(b) The rate adjustment is only in effect on the day(s) and at the time(s) of the special event;

(c) When the special event came to the attention of Parking Authority staff, there was not sufficient time prior to the special event to obtain the rate adjustment from the Board of Supervisors;

(d) If the primary sponsor or organizer of the special event requested the rate adjustment, then, in the opinion of the Parking Authority Commission, that sponsor or organizer acted reasonably in bringing the request and did not

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delay in order to avoid seeking such an adjustment from the Board of Supervisors;

(e) If the adjusted rates and charges are higher than the rates and charges as fixed by the Board of Supervisors, then:

(1) In light of anticipated demand for parking on the day(s) and at the time(s) of the special event, the Parking Authority Commission does not expect that higher rates will result in a significant reduction in use of the parking facility; and

(2) The adjusted rates are competitive in light of the rates that are likely to be charged at other parking facilities in the area on the day(s) and at the time(s) of the special event; and

(f) If the adjusted rates and charges are lower than the rates and charges as fixed by the Board of Supervisors, then:

(1) The primary sponsor or organizer of the special event is a not-for-profit, eleemosynary organization or association;

(2) On the day(s) and at the time(s) of the special event the garage would ordinarily be either closed or open but significantly less than full;

(3) In the opinion of the Parking Authority Commission, lower rates are necessary in order to encourage the public to attend the special event;

(4) The adjusted rates are sufficient to cover the cost of operating the garage during the special event; and

(5) The adjusted rates apply only to those users of the garage that present evidence (in a form agreed to between the primary sponsor or

organizer of the special event and the Parking Authority Commission) that they are attending the special event.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

By: [signature]
Deputy City Attorney

0406s

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 24, 1995	§	May 1, 1995
	§	
	§	
Ayes: Supervisors Alioto Ammiano	§	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	§	Bierman Hallinan Hsieh Kaufman
Kennedy Leal Migden Shelley Teng	§	Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lim
Acting Clerk

File No.
97-95-11

MAY 1 2 1995
Date Approved

Mayor

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FILE NO. 97-95-19 ORDINANCE NO. 155-95

[General Grant Levels]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 20.57 (GENERAL ASSISTANCE ORDINANCE) RELATING TO THE COMPUTATION OF AID GRANTS.

Note: Additions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 20.57 thereof, to read as follows:

SEC. 20.57. COMPUTATION AND PAYMENT OF AID GRANTS; AMOUNTS PAYABLE.

(a) For each eligible individual or for each eligible family of two or more persons who qualify for aid under the General Assistance Program, the maximum monthly amount of aid to which such recipients are entitled is listed below.

MAXIMUM GENERAL ASSISTANCE GRANT AMOUNT

Single Individual	$345
Number of Eligible Person in Same Family	
2 Persons	$567
3 Persons	$703
4 Persons	$834

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5 Persons	$952
6 Persons	$1070
7 Persons	$1175
8 Persons	$1281
9 Persons	$1388
10 Persons	$1508

In the case of more than 10 persons in a family budget unit, an additional $25 each month shall be paid for each additional person in the family budget unit. For the purpose of this section, a family is defined as a group of persons living together who are related by the first degree of consanguinity.

(b) With respect to all recipients, initial aid payments shall be conditional upon completion of the Department orientation and evaluation program. In addition, with respect to each employable recipient, continuing aid shall be conditioned, at the option of the Department, upon either completion of 20 verifiable job applications per month and/or participation in a Department approved job counseling, vocational rehabilitation, drug or alcohol treatment or work assignment program. Verifiable job applications or job searches within the meaning of this section, Sec. 20.58(c), and Sec. 20.58.2(b)(5) of this Article, shall include, but not be limited to: (1) sending applications, resumes and cover letters to apply for available positions for which the recipient meets the minimum qualifications, with copies of these documents and the telephone number of the prospective employer provided to the

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Department of Social Services so they can be verified; and (2) participation by a union member in union hiring hall programs that make use of telephone job searches for currently available positions.

In addition, with respect to each unemployable recipient, continuing aid shall be conditioned upon application in and pursuit of SSI/SSP benefits, if eligible, and participation in a Department approved rehabilitation program. Aid may be withheld, reduced, or discontinued for failure to meet these requirements.

(c) The Maximum General Assistance Grant may include a Municipal Railway Fast Pass or tokens as an in-kind grant, in which event the cost of the Municipal Railway Fast Pass or tokens to the Department of Social Services shall be deducted from the Maximum General Assistance Grant Amounts listed above to arrive at the Maximum Cash General Assistance Grant Amount which may be issued by means of warrants, vouchers or checks. The Municipal Railway Fast Pass or tokens shall be for the sole use of the recipient.

(d) The Maximum General Assistance Grant Amounts listed in Section 20.57(a) of this ordinance shall be adjusted automatically each July 1st beginning July 1, 1981, by the annual percentage cost of living increase or decrease to the Minimum Basic Standard of Adequate Care adopted by the California State Legislature in the Aid to Families with Dependent Children Program.

(e) The maximum monthly amount of aid for which an applicant is eligible shall be the Maximum General Assistance Grant Amount prorated as of the eligibility determination date, less any cash

available to the applicant during that calendar month, and less the fair market value of any nonexempt personal property available to the applicant during that calendar month. Rent, retroactive to the first of the month in which eligibility was determined, may be authorized to prevent eviction from existing housing.

(f) The maximum monthly amount of aid for which a recipient is eligible shall be the Maximum General Assistance Grant Amount, or the amount determined pursuant to Section (b) less any cash received from sources other than General Assistance which is or will be available to the recipient during the month for which aid is paid, and less the fair market value of any nonexempt personal property which is or will be available to the recipient during the month for which aid is paid.

(g) No grant shall be issued for less than $5.

(h) To promote the transition of General Assistance recipients to gainful employment, the General Manager of the Department of Social Services may establish an Income and Asset Disregard Program for the recipients who are employed. The Income and Asset Disregard Program shall provide for disregarding a certain amount of gross income which a recipient earns as wages and savings derived therefrom when determining a recipient's General Assistance Program eligibility and grant amount. The total amount of gross income disregarded shall not exceed the sum of the following amounts: (1) all of the first two hundred dollars ($200) of recipient gross wage earnings; (2) two-thirds (2/3) of the second one hundred fifty

dollars ($150) of recipient gross wage earnings; (3) one half (1/2) of the third one hundred fifty dollars ($150) of recipient gross wage earnings; (4) one third (1/3) of the fourth one hundred fifty dollars ($150) of recipient gross wage earnings; and (5) one fifth (1/5) of the fifth one hundred fifty dollars ($150) of recipient gross wage earnings. All recipient gross wage earnings above eight hundred dollars ($800) shall be offset on a dollar-for-dollar basis against the grant amount to which a recipient would otherwise be entitled. In addition, for recipients participating in this program up to two thousand dollars ($2,000) of recipient savings derived from the recipient's gross wage earnings shall be disregarded during the recipient's participation in this program and for up to three months thereafter. Also, if as a result of retrospective budgeting a recipient's total currently available financial resources in a month including his or her adjusted General Assistance grant, wages, and savings are less than the maximum General Assistance grant amount, the recipient shall be eligible for a grant supplement in the form of a rental expense voucher for unpaid rent in that month and up to $50 in cash so that the recipient's currently available financial resources may total up to the maximum General Assistance grant amount. This grant supplement is available a maximum of three times per year for program participants and is not available to recipients who quit a job without good cause.

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Recipient gross wage earnings are defined for purposes of this section as any income received by the recipient as payment for a recipient's labor. This section supersedes the provisions of Subsection 20.55.2(m), Section 20.56.6, Subsections 20.56.10(a) and (b), Subsections 20.57(e) and (f), and subsections 20.59.10(d),(e) and (f) when determining recipient eligibility and when calculating the maximum monthly amount of aid for program participants. All other recipient income and assets shall continue to be offset on a dollar-for-dollar basis when calculating the grant amount to which a recipient is otherwise eligible. For recipients participating in this program, General Assistance eligibility shall be determined on a monthly basis and a recipient's grant amount shall be adjusted for gross wage earnings on the basis of retrospective budgeting in the month following the recipient's receipt of wage income. Verified expenses which exceed the total sum of a participant's grant, wages, and savings in any given month create a rebuttable presumption of ineligibility for aid.

Every twelve months, commencing June 1, 1994, and ending June 1, 1996, the General Manager shall report to the Board of Supervisors and to the Mayor the progress and results of the program to date.

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(i) The automatic adjustment provisions of Subsection (d) are hereby suspended for fiscal year ((1994-95)) 1995-96. Adjustments for subsequent fiscal years made pursuant to this Section shall not include any adjustments for any fiscal year in which the cost of living was suspended.

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

By: Virginia Donald Elizondo
Deputy City Attorney

BOARD OF SUPERVISORS
270417 MRIE

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Hallinan Hsieh Kaufman Kennedy Leal Migden Teng Shelley	Ayes: Supervisors Hallinan Hsieh Kaufman Kennedy Leal Migden Ten Shelley
Noes: Supervisors Alioto Ammiano Bierman	Noes: Supervisors Alioto Ammiano Bierman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 97-95-19

MAY 12 1995
Date Approved

Frank M. Jordan
Mayor

AS AMENDED IN COMMITTEE
4/19/95

FILE NO. 101-94-90

ORDINANCE NO. 156-95

(Government Funding)

RO# 94207
SA#91

/19/95
grh

$44,718

APPROPRIATING ~~$91,644~~ OF RENT BOARD SPECIAL FUND REVENUE TO SALARIES, MATERIALS AND SUPPLIES, ~~EQUIPMENT AND SERVICES OF OTHER DEPARTMENTS TO ALLOW THE RENT BOARD TO IMPLEMENT PROPOSITION I FOR FISCAL YEAR 1994-95~~ AND SERVICES OF OTHER DEPARTMENTS TO ALLOW THE RENT BOARD TO IMPLEMENT PROPOSITION I AND $38,000 FOR THE PURCHASE OF NEW EQUIPMENT FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
02-012	**Rent Arbitration Board Fund**		
65-00-00	Rent Board		
GL ( )	Rent Arbitration Board Fund Balance	82,718 ~~$91,644~~	
~~01-0200(404020)~~	~~Temporary Salaries~~		$13,852 ~~$20,778~~
11-1301	Materials and Supplies		$2,750
~~22-2231~~	~~Equipment~~		~~$2,000~~
30-3090	Scvs. of other Dept.-Electricity		$38,000
30-3070	Scvs. of other Dept.-Tax Collector		$21,916
30-3400	Svcs. of other Dept.-Controller ISD		$6,200
	Total	$82,718 ~~$91,644~~	$82,718 ~~$91,644~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 24, 1995	May 1, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No. 101-94-90

MAY 12 1995
Date Approved

[signature]
Mayor

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As further amended 4/24/95

FILE NO. 127-95-2

Amendment of the whole
ORDINANCE NO. 157-95

[Business Improvement Procedure Code]

AMENDING PART III OF THE SAN FRANCISCO MUNICIPAL CODE BY ENACTING A NEW ARTICLE 15 WHICH WOULD AUTHORIZE PROPERTY OWNERS TO PETITION THE BOARD OF SUPERVISORS TO FORM BUSINESS IMPROVEMENT DISTRICTS AND AUTHORIZE THE BOARD OF SUPERVISORS, BY SPECIFIED PROCEDURES, TO FORM ONE OR MORE BUSINESS IMPROVEMENT DISTRICT(S) AND TO LEVY BUSINESS IMPROVEMENT ASSESSMENTS ON PROPERTY WITHIN SUCH DISTRICTS.

NOTE: All sections are new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part III of the San Francisco Municipal Code is hereby amended by adding a new Article 15 to read as follows:

ARTICLE 15
BUSINESS IMPROVEMENT DISTRICTS PROCEDURE CODE

SUBDIVISION 1
APPLICATION AND EFFECT

Sec. 1510. Short Title.
Sec. 1511. Purpose.
Sec. 1512. Severability.
Sec. 1513. Waiver/Orders Final.
Sec. 1514. Liberally Construed.
Sec. 1515. Validity.
Sec. 1516. Limitation of Actions.

SUBDIVISION 2
DEFINITIONS

Sec. 1520. Definitions.
(a) Activities.
(b) Annual Plan.
(c) Assessment(s).
(d) Assessor.
(e) Benefit Zone.
(f) Board

(g) Business Improvement District
(h) Charter.
(i) City.
(j) Clerk
(k) District.
(l) District Formation Costs.
(m) District Plan
(n) Enhancements.
(o) Improvement.
(p) Lot.
(q) Majority Protest.
(r) Owner.
(s) Person.
(t) Petition to Form a District.
(u) Protest.
(v) Public Hearing.
(w) Resolution of Intent.
(x) Services.
(y) Tax Collector.

SUBDIVISION 3
INITIATING DISTRICT FORMATION / EXTENSION

Sec. 1530 District Area.
Sec. 1531. Petition to Form a District.
Sec. 1532. Resolution of Intent to Form a District.
Sec. 1533. District Plan.
Sec. 1534. City Planning Referral.
Sec. 1535. Assessment Limitation.

SUBDIVISION 4
NOTICE AND HEARINGS

Sec. 1540. Published Notice.
Sec. 1541. Mailed Notice.
Sec. 1542. Posted Notice.
Sec. 1543. Time for Notice.
Sec. 1544. Public Hearing.
Sec. 1545. Final Determination Hearing.
Sec. 1546. Additional Notice and Hearing(s).

SUBDIVISION 5
PROTESTS

Sec. 1550. Protests.
Sec. 1551. Form of Protest.
Sec. 1552. Majority Protest; Effect.

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SUBDIVISION 6
ESTABLISHING A DISTRICT

Sec. 1560. Findings Prior to Final Determination.
Sec. 1561. Final Determination.

SUBDIVISION 7
COLLECTION OF ASSESSMENTS

Sec. 1570. Posting of Assessments.
Sec. 1571. Collection of Assessments.
Sec. 1572. Omitted Property.
Sec. 1573. Liens.

SUBDIVISION 8
DISTRICT MANAGEMENT

Sec. 1580. District Management Association.
Sec. 1581. Contract / Expenditure of District Funds.
Sec. 1582. Annual Plan.
Sec. 1583. Notice of Filing of Annual Plan; Resolution of Intent.
Sec. 1584. Hearing(s) on Annual Plan.
Sec. 1585. Protests to Annual Plan.
Sec. 1586. Approval of Annual Plan.
Sec. 1587. Modifications to District Plan.
Sec. 1588. Rules and Regulations.

SUBDIVISION 9
DISTRICT EXPIRATION

Sec. 1590. Expiration and Re-Formation.
Sec. 1591. Disestablishment.

ARTICLE 15
BUSINESS IMPROVEMENT DISTRICTS

SUBDIVISION 1
APPLICATION AND EFFECT

SEC. 1510. SHORT TITLE. This Article shall be cited and referred to as the San Francisco Business Improvement District ("BID") Procedure Code.

SEC. 1511. PURPOSE. This Article provides an alternative procedure by which the Board may finance Improvements, Services, and

Activities that provide special benefit to property within specific and limited areas. Through proceedings under this Article, the Board may establish Business Improvement Districts and may finance Enhancements through annual Assessments apportioned among parcels of real property within such Districts. It is the intent of this Article to provide a vehicle for financing Enhancements which supplement and compliment existing services. District formation and assessment proceedings may not be initiated under this Article to finance replacing or supplanting existing city services. Nothing herein shall be construed as prohibiting the establishment of districts to finance local capital improvements under any other ordinance or any other law of the State of California.

SEC. 1512. SEVERABILITY. If any provision of this Article or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect any other provision or such other application of such provision which can be given effect without such provision or application, and to this end the provisions of this Article are declared to be severable.

SEC. 1513. WAIVER/ORDERS FINAL. All objections not made within the time or manner herein provided are waived. All decisions and determinations of the Board, upon notice and hearing, shall be final and conclusive upon all persons entitled to appeal, as to all errors, informalities, omissions and irregularities which might have been avoided, or which might have been remedied, and as to illegalities not amounting to a want of due process of law.

SEC. 1514. LIBERALLY CONSTRUED. This Article shall be liberally construed in order to effectuate its purpose. No error, irregularity, informality, omission or illegality and no neglect or omission of any officer, in any procedure taken hereunder, which does not directly affect the jurisdiction of the Board to form a District or levy an Assessment, shall void or invalidate such proceedings or any Assessment.

SEC. 1515. VALIDITY. No step in any proceeding shall be invalidated or affected by any error or mistake or departure from the provisions of this Article as to the officer or person posting or publishing or mailing, or procuring the publication or posting or mailing of any notice, resolution, order or other matter when such notice is actually given for the time required.

SEC. 1516. LIMITATION OF ACTIONS. No action, suit or proceeding to set aside, cancel, void, annul or correct any assessment, or to review any of the procedures, acts or determinations in any proceedings, or to question the validity or to enjoin the collection of any Assessment shall be maintained by any person unless such action, suit or proceeding shall have been commenced within 30 days after the effective date of the ordinance forming the District. No defense based on invalidity or irregularity in any such proceedings shall be raised or pleaded after expiration of such 30-day period.

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SUBDIVISION 2
DEFINITIONS

SEC. 1520. DEFINITIONS. Unless the particular provisions or the context otherwise requires, the definitions contained in this section shall govern the construction of this Article.

(a) "Activities" means, but is not limited to the following: (1) promotion of public events which benefit businesses in the area and which take place within the area; (2) furnishing of music in the area; (3) promotion of tourism within the area; (4) promotibn of private investment and business expansion in the area; and (5) other activities which provide special benefit to owners of property within the area.

(b) "Annual Plan" means a plan submitted to the Clerk by the district management association pursuant to section 1582 of this Article, or any written request for modification of the District Plan submitted by the district management association pursuant to section 1587 of this Article.

(c) "Assessment(s)" means a charge or charges levied or proposed to be levied against real property in accordance with the provisions of this Article.

(d) "Assessor" means the assessor of the city.

(e) "Benefit Zone" means any geographic area within a District in which Enhancements confer a substantially different degree of benefit on property owners than Enhancements confer in any other area of the District.

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(f) "Board" means the board of supervisors of the city.

(g) "Business Improvement District" or "BID" means any District proposed to be formed, or formed, pursuant to the provisions of this Article.

(h) "Charter" means the charter of the city.

(i) "City" means the City and County of San Francisco.

(j) "Clerk" means the Clerk of the Board of Supervisors.

(k) "District" means any District proposed to be formed, or formed, pursuant to the provisions of this Article.

(l) "District Formation Costs" means actual costs incurred by the City in connection with the formation of a District and/or the levy of Assessments pursuant to the provisions of this Article.

(m) "District Plan" means the document which, pursuant to sections 1532 and 1533 of this Article, outlines the basis on which a District is proposed to be formed, or is formed, and on which Assessments are proposed to be levied, or are levied.

(n) "Enhancements" means any Improvements, Services or Activities to be financed by Assessments levied under this Article which provide special benefit to property within a District and which are additional to any basic level of such Activities, Improvements or Services which are provided with general city revenues in the area proposed for the District, or in other comparable areas.

(o) "Improvement" means the acquisition, construction, or installation, of any tangible property which provides special

benefit to property within a District including, but not limited to, the following: (1) benches, (2) trash receptacles, (3) temporary or permanent street lighting, (4) decorations, (5) parks, (6) fountains, (7) telephone booths, (8) kiosks, (8) trees, (9) walls and barriers, (10) rest rooms, (11) information booths, (12) tunnels and ramps, (13) bus stop shelters, (14) display cases and exhibits, (15) signs, (16) pedestrian shelters, (17) fountains, and (18) pedestrian and vehicular overpasses and underpasses.

(p) "Lot" means: (1) A parcel of real property shown as a single lot in a lawfully recorded subdivision map or parcel map approved pursuant to the provisions of the Subdivision Map Act; or (2) A parcel of real property with dimensions and boundaries, defined as a single lot by a lawfully recorded record or survey map; or (3) Any parcel of real property otherwise created or measured whether or not deemed lawful pursuant to the City Planning Code; or (4) Two or more parcels combined by an appropriate recorded written instrument, or, two or more parcels combined by a common usage, may be deemed for purposes of this Article a single lot.

(q) "Majority Protest" means a determination by the Board, in accordance with section 1560 of this Article, that those owners who have filed a Protest and who have not withdrawn their Protest shall pay fifty per cent or more of the total dollar amount of an Assessment proposed to be levied.

(r) "Owner" means: a person owning real property within a District or proposed District (1) whose name and address appears on

the last equalized assessment roll of the city or or the last equalized State Board of Equalization assessment roll, or (2) who is entitled to be shown on the next equalized assessment roll of the city or the next equalized assessment roll of the State Board of Equalization. A lessee in possession of tax exempt property, the leasehold interest of which is subject to assessment, is deemed to be an owner.

(s) "Person" means an individual, partnership, corporation, association, trust or any other legal entity.

(t) "Petition to Form a District" means a petition submitted to the Board pursuant to section 1531 of this Article.

(u) "Protest" means an objection by an Owner submitted in writing to the Clerk in accordance with sections 1550, 1551 and/or 1586 of this Article.

(v) "Public Hearing" means a hearing called and noticed by the Board at which any and all persons affected may raise any objections or provide relevant testimony relating to a Resolution of Intent.

(w) "Resolution of Intent" means a resolution adopted pursuant to section 1532 or subsection (b) of section 1583 of this Article.

(x) "Services" means, but is not limited to the following: (1) sanitation and cleaning for the protection and enjoyment of the general public using the business district; (2) landscaping and beautification; (3) repair and maintenance of streets, alleys, sidewalks, malls, bridges, ramps, tunnels, and other facilities or improvements; (4) services to enhance the security of persons and

property; (5) public information services; (6) social services and outreach; (7) construction of fixtures, equipment, facilities and appurtenances as may enhance the movement, convenience, and enjoyment of the public and be of economic benefit to surrounding properties; (8) management and administration of the improvements, services and activities financed by assessments on property within the district, and (9) any other service which provides special benefit to owners of property within the district.

(y) "Tax Collector" means the tax collector of the city.

SUBDIVISION 3
INITIATING DISTRICT FORMATION/EXTENSION

SEC. 1530. DISTRICT AREA. (a) A district may be formed to encompass any area within the city and county provided that more than 80 percent of the lots proposed to be included in the district are located within a C-2, C-3, or M-1 use district, an NC-2, NC-3, NC-S or Individual Area Neighborhood Commercial District, or a Mixed Use District as these districts are defined in Article 2, Article 7 and Article 8, respectively, of the San Francisco Planning Code and as they are shown on the zoning map of the City.

(b) Under no circumstances shall the boundaries of a proposed district overlap with the boundaries of another existing District created pursuant to this Article.

(c) Public property exempt from taxation shall be exempt from the levy of Assessments under this Article. This provision shall

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not exempt from the levy of Assessments any possessory interest in tax exempt property which is subject to property taxation.

SEC. 1531. PETITION TO FORM A DISTRICT. (a) Upon the receipt of a written petition, signed by property Owners in the proposed District who will pay more than 50 percent of the Assessment proposed to be levied, the Board may initiate proceedings to form a District by adopting a Resolution of Intent to form a District pursuant to Section 1532. The amount of the Assessment attributable to property owned by a single Owner which is in excess of 40 percent of the amount of all Assessments proposed to be levied, shall not be included in determining whether the petition is signed by Owners who will pay more than 50 percent of the total Assessment proposed to be levied.

(b) A petition to form a District circulated to Owners for signature shall include a District Plan.

SEC. 1532. RESOLUTION OF INTENT TO FORM A DISTRICT. (a) The resolution of intent shall:

(1) State the name of the proposed District;

(2) State that a Petition to Form a District has been received or is not required, and state that a District is proposed to be formed and that an Assessment is proposed to be levied pursuant to this Article;

(3) Incorporate the District Plan, which shall be on file in the Clerk's office for public inspection.

(4) Identify the time and place for a Public Hearing on the

formation of the District and the levy of an Assessment;

(5) Identify the time and place for a Final Determination Hearing on the formation of the District and the levy of Assessments;

(6) State that any person may testify regarding the formation of the District or the levy of the Assessment at the Public Hearing and/or the Final Determination hearing;

(7) State that any Owner objecting to the formation of the District or the levy of the Assessment must file a Protest at the office of the Clerk within 45 days of the adoption of the Resolution of Intent, and, further, that if owners of more than 50 percent of the total dollar amount of the Assessment proposed to be levied on Lots within the District proposed for formation file a Protest, proceedings to form the District will be abandoned for a period of at least one year.

(b) Where a Resolution of Intent proposes to reestablish a District formed by prior ordinance of the Board, the Board may adopt the Resolution of Intent without having received a petition to form a District if (1) a district management association submits a District Plan to the Board, and (2) an Assessment was collected in the previously formed District within twelve months prior to the adoption of the Resolution of Intent proposing to reestablish such District.

SEC. 1533. DISTRICT PLAN. (a) The formation of a District shall be based upon a District Plan filed in the office of the Clerk. The District Plan shall:

(1) State the name of the proposed District.

(2) Include a map of the District in sufficient detail to locate each Lot within the District.

(3) Describe the boundaries of the District, including the boundaries of any proposed Benefit Zone(s) in a manner sufficient to identify the Lots included.

(4) State the name, address, and telephone number of the district management association which shall be responsible for providing the Enhancements prescribed by the District Plan, as well as the names of the officers of the district management association, and state that the district management association shall comply with the provisions of section 1580 of this Article.

(5) Describe the Enhancements proposed, the maximum estimated cost thereof, and the estimated District Formation Costs for each year of operation of the District.

(6) Identify the proposed source or sources of financing for the Enhancements and District Formation Costs, including the proposed Assessment(s).

(7) Explain the method and basis for levying the Assessment(s) in proportion to the benefits received by Lots within the District, including the basis for any Benefit Zone(s), in sufficient detail to allow each Owner to calculate the amount of the assessment to be levied against his or her property.

(8) Identify the Assessment rates, for the initial year and for subsequent years, or, if no specific rates are set for subsequent

years, identify any formula by which rates in the initial year are proposed to increase in subsequent years.

(9) Identify the time and manner of collecting the Assessments.

(10) Identify the specific number of years, to a maximum of five, in which an Assessment will be levied.

(11) State any proposed rules and regulations to be applicable to the District.

(12) List, by Assessor's parcel number, the properties benefited and the basis of the Assessment for each Lot.

(13) Include any other item or matter required to be incorporated therein by the Board.

(b) A District Plan may provide that all or any class or category of Lots within the boundaries of a District may be exempt from the levy of the Assessment(s). However, where any class or category of real property is proposed to be exempt from the levy of the Assessment(s), costs corresponding to benefits allocable to exempt properties shall not be financed by Assessment revenues. The District Plan shall identify an alternative source or sources of financing to cover costs allocable to exempt properties.

SEC. 1534. CITY PLANNING REFERRAL.

(a) If a Resolution of Intent adopted pursuant to section 1532 of this Article, or any Annual Plan filed pursuant to section 1582 of this Article, proposes to finance acquisition, extension, widening, removal, relocation, vacation, abandonment, sale or change in the use of any public way, transportation route, ground, open

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space, building, or structure which requires referral to the Planning Department under Section 3.527 of the Charter, or any successor provision, the Resolution of Intent or Annual Plan shall be referred to the department for a report regarding conformity with the master plan.

(b) If a Resolution of Intent or Annual Plan is referred to the Department of City Planning pursuant to this section, the department shall make its report to the Board at or before the Public Hearing on the Resolution of Intent or Annual Plan.

SEC. 1541. ASSESSMENT LIMITATION. No amount proposed to be assessed upon any Lot for the construction of any improvement or the acquisition of any property for public use shall exceed one-half of the assessed value of the Lot. The total amount of all Assessments levied on Lots within the District for the construction or any Improvement or the acquisition of any property for public use shall not exceed one-half the assessed value of all Lots assessed or proposed to be assessed. Assessment amounts shall satisfy any further limitations imposed by Section 6.410 of the Charter and Part 5 of Division 4 of the California Streets and Highways Code or any preemptive successor statute.

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SUBDIVISION 4
NOTICE AND HEARINGS

SEC. 1540. PUBLISHED NOTICE. The Board shall publish any Resolution of Intent adopted pursuant to the provisions of this Article, or a summary thereof, as well as the time, date, and place of the Public Hearing and the Final Determination Hearing, in a newspaper of general circulation in the city at least once. The notice shall state that the Resolution of Intent and the accompanying District Plan or Annual Plan shall be available for public inspection at the Office of the Clerk.

SEC. 1541. MAILED NOTICE. (a) The Board shall cause a copy of any Resolution of Intent adopted pursuant to the provisions of this Article, or a summary thereof, as well as the time, date, and place of the Public Hearing and the Final Determination Hearing, to be mailed to each Owner of a Lot within the proposed District, and to the occupants of dwelling units and/or commercial spaces within the District, including but not limited to each neighborhood, tenant and business organization known by the Board to be located within the proposed District. Where a Resolution of Intent concerns an Annual Plan proposing to modify the District Plan, notice shall be mailed only to those Owners and occupants affected by the proposed modification(s).

(b) The notice shall include a description of the Lot regarding which it is addressed sufficient to identify the Lot and shall

include the estimated amount of the proposed Assessment against the Lot for every year in which such an amount is included in the District Plan. The notice shall state that the Resolution of Intention and the District Plan or Annual Plan shall be available for public inspection at the Office of the Clerk. The notice shall explain the procedure and deadline by which Owners may file a Protest, shall explain the effect of failing to file such a Protest and shall explain the effect of a Majority Protest.

(c) The mailed notice shall be sent to all Owners proposed to be charged: (i) according to their respective addresses as they appear on the State Board of Equalization roll or the last equalized City assessment roll, including the possessory interest section of the unsecured roll; or (ii) as entitled to be shown on the next State Board of Equalization roll or equalized City assessment roll, including the possessory interest section of the unsecured roll, as determined from the records of the Assessor ascertained prior to the mailing.

(d) The mailed notice shall be sent to occupants of dwelling units and commercial spaces within the District pursuant to information provided to the Clerk by the proponents of the BID. The proponents of a BID shall provide the Clerk with information regarding the number of dwelling units and commercial spaces located on each Lot proposed to be assessed within a District, and all further information as determined by the Clerk to be sufficient to provide reasonable notice to occupants.

SEC. 1542. POSTED NOTICE. The Clerk shall post the Resolution of Intent, or a summary thereof, near the Chamber of the Board or on any bulletin board in or adjacent to City Hall. The notice shall state that the Resolution of Intent and the District Plan or Annual Plan shall be available for public inspection at the Office of the Clerk.

SEC. 1543. TIME FOR NOTICE. The published, posted, and mailed notice shall be provided at least 20 days prior to the date of the Public Hearing and, where a Final Determination Hearing is required, at least 45 days prior to the date of the Final Determination Hearing, unless shorter times are provided by general law. Mailed notice shall be deemed given on the date on which notices are deposited in the United States mail.

SEC. 1544. PUBLIC HEARING. At the Public Hearing, the Board shall hear and consider oral and written objections submitted by any interested person pertaining to the formation of the District, the extent of the District, the furnishing of specified Enhancements within the District or any other matter contained in the Resolution of Intent. Such Public Hearing may be continued or adjourned to a specific time, date, and place.

SEC. 1545. FINAL DETERMINATION HEARING. After the close of the Public Hearing, the Board shall hold a Final Determination Hearing. At the Final Determination Hearing, the Board shall hear and consider oral and written objections submitted by any interested person pertaining to the formation of the District, the extent of

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the District, the furnishing of specified Enhancements within the District or any other matter contained in the Resolution of Intent. At the Final Determination Hearing, or at any meeting to which the Public Hearing or Final Determination Hearing shall have been adjourned and at which public testimony is taken, the Board may establish the proposed District, pursuant to the provisions of Subdivision 6 of this Article, or approve an Annual Plan, pursuant to section 1586 of this Article.

SEC. 1546. ADDITIONAL NOTICE AND HEARING(S). To the extent not otherwise satisfied by the provisions of this Article, the Board shall cause such additional notice and opportunity for public testimony as may be required by Section 54954.6 of the California Government Code, by any applicable successor statute, or by any preemptive state law.

SUBDIVISION 5
PROTESTS

SEC. 1550. PROTESTS. (a) Any interested person may object to the formation or modification of a District, the boundaries thereof, the Enhancements to be provided within the District, the Assessments to be levied or the regularity or sufficiency of the proceedings by submitting written objections to the Board or by testifying at the Public Hearing or Final Determination Hearing. After adoption of a Resolution of Intent, any Owner may object to the formation or modification of a District, the boundaries thereof, the Enhancements

to be provided within the District, the Assessments to be levied or the regularity or sufficiency of the proceedings by submitting a Protest.

(b) All Protests must be filed with the Clerk by mail or hand delivery no later than 45 days after the adoption of the Resolution of Intent. Any Protest not made at the time or in the manner provided herein shall be deemed to be waived voluntarily, and the person(s) who might have protested shall be deemed to have consented to the proposed Assessment and any other act, determination, or proceeding regarding which a Protest could have been submitted. Notwithstanding the foregoing, the Board, in its sole discretion, may consider any untimely Protest.

(c) Any Protest may be withdrawn, in writing, by the person who submitted the Protest at any time prior to the Board's determination, pursuant to section 1560 of this Article, of whether a Majority Protest exists.

SEC. 1551. FORM OF PROTEST. (a) All Protests must be in writing and must be signed by the Owner. Protests shall contain the name, address and telephone number of the Owner and a description of the Lot owned sufficient to identify it, as well as the nature and grounds of the Protest. Any Protest pertaining to the regularity or sufficiency of the proceedings shall clearly set forth the irregularity or defect to which the objection is made.

(b) If the person(s) signing the Protest is not the addressee of a mailed notice, the protester shall certify in the Protest that

(s)he is the Owner of the property and submit written evidence of his/her interest in support thereof. The Board shall be under no duty to obtain or consider any other evidence as to the holding of property interests. The Board's determination as to the validity of any Protest shall be final and conclusive.

SEC. 1552. MAJORITY PROTEST; EFFECT. If the Board finds and determines, pursuant to section 1560 of this Article, that a Majority Protest exists, and Protests are not withdrawn so as to reduce the same to less than a majority, the Board shall abandon the proceedings to form the District identified on the Resolution of Intent and no new proceedings shall be initiated based on the same or a substantially similar Resolution of Intent for a period of one year from the date of the Majority Protest determination. If the Board determines that a Majority Protest exists in connection with a Resolution of Intent to approve an Annual Plan, pursuant to section 1586, no further proceedings to establish the same or substantially similar modifications proposed by the Annual Plan shall be initiated for a period of one year from the date of the Majority Protest determination. If the Majority Protest is only against the furnishing of a specified type(s) of Enhancement, proceedings to form a District or modify a District may continue as long as such Enhancement(s) are eliminated from the District Plan.

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SUBDIVISION 6
ESTABLISHMENT OF A DISTRICT

SEC. 1560. FINDINGS PRIOR TO FINAL DETERMINATION.

(a) Majority Protest. Prior to making a final determination on an ordinance forming a District or approving an Annual Plan, the Board shall determine whether a Majority Protest has been presented. In making this determination, the Board shall consider only those Protests submitted and not withdrawn in accordance with Section 1550 of this Article. Where multiple individuals submit Protests as Owners of a single Lot, no more than one Protest for the full amount of the Assessment proposed against that Lot shall be counted in the calculation of a Majority Protest. If Assessments are proposed to be levied for more than one fiscal year, the Board shall use the proposed Assessment for the first fiscal year to determine whether a Majority Protest exists. The Board's determination as to the existence of a Majority Protest shall be final and conclusive.

(b) Baseline Service Levels. Where the District Plan indicates that Assessment revenues will be used to pay for Improvements, Services or Activities of a type that has been provided with general City revenues in the area proposed for District formation within the previous three years, the Board shall make a finding regarding the average annual level of such Improvements, Services or Activities so provided during that period. In addition, the Board shall make a finding regarding the average level of such Improvements, Services

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or Activities provided during that period in other comparable areas of the City.

SEC. 1561. FINAL DETERMINATION.

(a) Approving District. After making any findings required by section 1560, the Board may adopt an ordinance forming a District or approving an Annual Plan. An ordinance forming a District or approving an Annual Plan shall contain all of the following:

(i) the name of the District;

(ii) the number, date of adoption, and title of the Resolution of Intent;

(iii) the District Plan or the Annual Plan;

(iv) the time, date and place where the Public Hearing and Final Determination Hearing were held;

(v) a finding that the Lots within the District will receive special benefit from the Enhancements and District Formation Costs financed by the proposed Assessment(s);

(vi) a statement that the District has been formed pursuant to the provisions of this Article;

(vii) a statement of any findings made pursuant to section 1560 of this Article;

(viii) a statement that the Enhancements provided within the District and District Formation Costs will be funded by the levy of Assessments and that the revenue from the levy of Assessments shall not be used to provide Enhancements outside the District or for any purpose other than those specified in the District Plan of Annual Plan.

(b) Effect of Ordinance Approving District Formation of Modification. The adoption of an ordinance forming a District shall constitute the levy of an Assessment for the initial year. For any subsequent year, the adoption of a resolution approving an Annual Plan pursuant to subsection (a) of section 1586, or the adoption of an ordinance approving an Annual Plan pursuant to subsection (b) of Section 1586 shall constitute the levy of an Assessment.

SUBDIVISION 7
COLLECTION OF ASSESSMENTS

SEC. 1570. POSTING OF ASSESSMENTS. The Tax Collector shall post an Assessment as a separate item on the tax bill. However, in any year in which the Controller finds that the level of Improvements, Services, or Activities to be financed by an Assessment of a type that has been provided in the District area with general City revenues and/or which are provided in comparable areas of the City with general City revenues falls below the baseline service level found by the Board pursuant to section 1560(b) of this Article, the Tax Collector shall not post the Assessment on the tax bill.

SEC. 1571. COLLECTION OF ASSESSMENTS.

(a) Assessments levied on real property shall be collected upon the most recent equalized secured and utility tax rolls upon which ad valorem property taxes are collected and shall be in addition to all ad valorem property taxes, and shall be collected together with

and not separate therefrom and shall be enforced in the same manner and by the same persons and at the same time and with the same penalties and interest for nonpayment thereof as are ad valorem property taxes. All laws applicable to the collection and enforcement of ad valorem property taxes shall be applicable to the Assessments, and the charged Lot, if defaulted for taxes, shall be subject to redemption in the same manner as such real property is redeemed from default for ad valorem property taxes, and if not redeemed, shall in like manner be subject to sale by the Tax Collector.

(b) Assessments levied on possessory interests shall be collected upon the most recent unsecured property tax roll and shall be in addition to all of the unsecured property taxes, shall be collected together with and not separate therefrom and shall be enforced in the same manner and by the same persons and at the same time and with the same penalties and interest for nonpayment thereof as are unsecured property taxes. All laws applicable to the collection and enforcement of unsecured property taxes shall be applicable to the Assessment levy.

SEC. 1572. OMITTED PROPERTY. If any property within the District is erroneously omitted from any District Plan or Annual Plan, the omitted property shall be charged for the omitted amount in the next fiscal year in addition to the amount that shall be owed for that fiscal year, and appropriate provision shall be made in the Annual Plan for the next fiscal year.

SEC. 1573. LIENS. (a) Except as hereinafter provided, the priority of the lien of any Assessment levied under this Article shall be governed by title 5, division 2, part 1, chapter 4, article 13 of the California Government Code, commencing with section 53930, as amended.

(b) All assessments and the interest, costs and penalties upon same, levied hereunder, shall continue as liens against the Lots on which the are levied and imposed until fully paid.

SUBDIVISION 8
DISTRICT MANAGEMENT

SEC. 1580. DISTRICT MANAGEMENT ASSOCIATION.

(a) The district management association identified in the District Plan shall be incorporated under the California Nonprofit Corporation Law.

(b) The board of the district management association and any committee of the board or of the district management association shall be composed of representatives of Owners and tenants within the District, provided, however, that not less than a majority of its members shall represent Owners and provided further that tenants of commercial space and dwelling units within the District shall also be represented.

(c) The district management association and any of its boards and committees shall operate as if they were subject to the provisions of the Ralph M. Brown Act (commencing with section 54950

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of the California Government Code) and the Sunshine Ordinance (commencing with section 67.1 of the San Francisco Administrative Code).

SEC. 1581. CONTRACT / EXPENDITURE OF DISTRICT FUNDS.

The proceeds of any Assessment levied pursuant to this Article shall be held by the Controller and shall be separately accounted for in the books and records of the City. The City shall enter into a contract obliging the district management association to provide the Enhancements for a specified term. The City shall disburse Assessment revenues, minus District Formation costs, to the district management association in accordance with the budgetary and fiscal provisions of the Charter. The district management association shall use best efforts to hire District residents and homeless people to perform the work required by the District Plan. None of the proceeds collected pursuant to this Article shall be used for any purposes other than those set forth in the District Plan.

SEC. 1582. ANNUAL PLAN. (a) On or before March 1 of each year, the district management association shall file an Annual Plan with the Clerk for any upcoming fiscal year during which the District Plan contemplates the levy of an Assessment.

(b) The Annual Plan may specify assessment rates for any fiscal year in which no rates were established by the District Plan and may propose modifications to the District Plan. The Annual Plan shall identify the District by name, specify the fiscal year to which it applies, and contain the following information:

(1) An explanation of any proposed modifications to the District Plan. Where such modifications would authorize Enhancements not contemplated in the District Plan, would increase the Assessment levied upon any Lot over amounts previously authorized, or would authorize an Assessment against any Lot not previously subject to Assessment, the modification must be explained in sufficient detail to allow each Owner to estimate the amount of the Assessment to be levied against his or her property for that fiscal year.

(2) An estimate of the costs of providing the Enhancements and District Formation Costs for that fiscal year.

(3) The amount of any surplus or deficit revenues to be carried over from a previous fiscal year.

(4) The amount of any contributions to be made from sources other than Assessments levied pursuant to this Article.

SEC. 1583. NOTICE OF FILING OF ANNUAL PLAN; RESOLUTION OF INTENT. (a) If the Annual Plan contains no proposed modifications to the District Plan which would authorize Enhancements not contemplated in the District Plan, increase the Assessment levied upon any Lot over amounts previously authorized, or authorize an Assessment against any Lot not previously subject to the levy of an Assessment, and if the Assessment rates for the specified fiscal year have been previously established or reflect a decrease from previously established rates, the Clerk shall cause notice of the filing of the Annual Plan and the scheduling of a Public Hearing to

be published pursuant to section 1540 of this Article and posted pursuant to section 1542 of this Article.

(b) If the Annual Plan proposes modifications to the District Plan which would authorize Enhancements not contemplated in the District Plan, increase the Assessment levied upon any Lot over amounts previously authorized or authorize an Assessment against any Lot not previously subject to the levy of an Assessment, or if the Assessment rates for the specified fiscal year have not been previously established, the Board may adopt a Resolution of Intent to approve the Annual Plan and modify the District Plan. The Clerk shall cause notice of the filing of the Annual Plan, the Board's adoption of the Resolution of Intent to approve the Annual Plan and modify the District Plan, and the scheduling of a Public Hearing and a Final Determination Hearing to be published pursuant to section 1540, and posted pursuant to section 1542 of this Article. In addition, the Clerk shall provide mailed notice, pursuant to section 1541 of this Article, to any Owner affected by the proposed modification(s) to the District Plan.

SEC. 1584. HEARING(S) ON ANNUAL PLAN. If notice of filing of the Annual Plan may be provided pursuant to subsection (a) of section 1583, the Board shall conduct a Public Hearing pursuant to section 1544. If notice is required to be provided pursuant to subsection (b) of section 1583, the Board shall conduct a Public Hearing pursuant to section 1544 and a Final Determination Hearing pursuant to section 1545.

SEC. 1585. PROTESTS TO ANNUAL PLAN. (a) If notice is required to be provided pursuant to subsection (b) of section 1583, those Owners affected by the modification proposed by the Annual Plan may submit a Protest regarding the proposed modification. The time for such Protests shall be governed by section 1550, and the form of such Protests shall be governed by section 1551 of this Article.

(b) Any Protest not made at the time or in the manner provided herein shall be deemed to be waived voluntarily and the person(s) who might have protested shall be deemed to have consented to the Assessment for that fiscal year, to any proposed modifications and to any other act, determination, or proceedings on which a Protest or objection could have been made.

(c) Protests shall be considered and passed upon by the Board in the same manner and with like effect as provided in Subdivision 5 and in section 1560 of this Article.

SEC. 1586. APPROVAL OF ANNUAL PLAN. (a) If notice of filing of the Annual Plan may be provided pursuant to subsection (a) of section 1583, the Annual Plan shall be reviewed by the Board at the Public Hearing, and may be approved and adopted by resolution. The adoption of the resolution shall constitute the levy of an Assessment for the fiscal year specified in the Annual Plan.

(b) If notice of filing of the Annual Plan is required to be provided pursuant to subsection (b) of section 1583, the Annual Plan shall be reviewed by the Board at a Public Hearing and a Final Determination Hearing and may be approved and adopted by ordinance.

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The adoption of the ordinance shall constitute the levy of an Assessment for the fiscal year specified in the Annual Plan.

SEC. 1587. MODIFICATIONS TO DISTRICT PLAN. (a) The district management association may, at any time, request in writing that the Board modify the boundaries, assessments, improvements or activities provided for in the District Plan. The Board shall consider any such written request to modify the District Plan in the same manner, and with the same notice, hearings, and opportunity for Protests as provided in this Article for the consideration of an Annual Plan.

(b) Any modification of District boundaries or Benefit Zones shall be reflected in subsequent notices and maps.

SEC. 1588. RULES AND REGULATIONS. Subject to approval, disapproval or amendment by the Board, the Mayor's Office of Business and Community Services shall have power to adopt rules and regulations, not inconsistent with the provisions of this Article, to administer the initiation, formation, management and expiration of Districts and the levy and collection of Assessments under this Article until such time as the Board designates another City office or department to perform this function. Such rules and regulations shall be available for public examination in the Mayor's Office of Business and Community Services, or any other office or department designated by the Board to adopt rules and regulations. The Mayor's Office of Business and Community Services shall consult with the Human Rights Commission to ensure that the rules and regulations adopted pursuant to this section are consistent with the City's human rights policies.

4/24/95

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SUBDIVISION 9
DISTRICT EXPIRATION

SEC. 1590. EXPIRATION AND REFORMATION. Any District formed pursuant to this Article shall expire automatically upon expiration of the term provided in the District Plan, which term shall not exceed five years. Any District formed pursuant to this Article may be reformed by the initiation of proceedings pursuant to Section 1532 of this Article.

SEC. 1591. DISESTABLISHMENT. (a) Any District established pursuant to the provisions of this Article, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by ordinance of the Board in either of the following circumstances:

(1) If the Board finds that there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall adopt a resolution declaring its intent to disestablish the District.

(2) During the operation of the District there shall be a 30 day period each year in which Owners may request disestablishment of the district. The first such period shall begin one year after the date of the formation of the District and shall continue for 30 days. The next such 30 day period shall begin 2 years after the date of formation of the District. Each successive year of operation of the district shall have such a 30 day period. Upon the written petition

of Owners who pay 50 percent or more of the Assessments levied, the Board may adopt a resolution declaring its intent to disestablish the District. The resolution shall state the reason for disestablishment.

(b) The Board shall publish and post notice of adoption of a resolution declaring its intent to disestablish the District and notice of a Public Hearing on disestablishment pursuant to sections 1540, 1542, 1543, 1544, and 1546 of this Article. The Public Hearing shall be held not more than 30 days after the adoption of the resolution.

(c) The Board may request and consider the recommendations of the district management association concerning any proposed disestablishment; provided that if the association has not submitted recommendations to the Board within 60 days after request thereof, the Board may adopt an ordinance disestablishing the District without considering such recommendations.

(d) Upon the disestablishment of a District, any remaining revenues derived from the levy of Assessments shall be refunded to Owners by applying the same method and basis that was used to calculate the Assessment levied in the fiscal year during which the district was disestablished. If the disestablishment occurs before an Assessment is levied for the fiscal year, the method and basis that was used to calculate the Assessment levied in the immediate prior fiscal year shall be used to calculate the amount of any refund. In the event of District expiration or disestablishment,

all assets of the District shall revert to the city.

(e) Notice of the disestablishment shall be published once in a newspaper of general circulation in the City, not later than 15 days after the ordinance disestablishing the District is adopted.

APPROVED AS TO FORM
LOUISE H. RENNE
City Attorney

By: Julianne Friedlander
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 24, 1995	$	May 1, 1995
	$	
	$	
Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	$	Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng
	$	
Noes: Supervisors Ammiano Bierman	$	Noes: Supervisors Ammiano Bierman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
127-95-2

MAY 1 2 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-94-91 ORDINANCE NO. 158-95

(Government Funding) RO#94208
SA#67

APPROPRIATING $13,980 FROM THE EMPLOYEES' RETIREMENT TRUST FUND FOR SERVICES OF OTHER DEPARTMENTS TO ALLOW THE RETIREMENT SYSTEM TO PROVIDE FUNDING FOR A WORKERS COMPENSATION ADJUSTER FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
24-061	**Employees' Retirement Trust**		
44-04-00	Retirement System - Administration		
GL 301 (030346)	Fund Balance	$13,980	
30-3700 (380592)	Services of Other Dept.-Human Resources		$13,980
	Total	$13,980	$13,980

APPROVED AS TO FORM
LOUISE H. RENN CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

N:\EXCEL\SPPROJ\44SA#67

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

May 1, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

Finally Passed

May 8, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng

Absent: Supervisor Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No.
101-94-91

May 19 1995
Date Approved

[signature]
Mayor

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FILE NO. 45-95-12 ORDINANCE NO. 159-95

RO #94222

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF KATHRYN SENN AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $45,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "KATHRYN SENN v. CITY AND COUNTY OF SAN FRANCISCO, et al.," San Francisco Superior Court No. 961-777, by the payment of $45,000.00. The Department of Public Works will pay $35,000.00 of the settlement and the San Francisco Water Department will pay $10,000.00.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

For
JOHN W. CRIBBS
Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller
01 001 97 09 90
309674 1450 $35,000.00

APPROVED:

William Lee
Chief Administrative Officer

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 1, 1995	May 8, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng
	Absent: Supervisor Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
45-95-12

May 19, 1995
Date Approved

Mayor

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FILE NO. 45-95-13 ORDINANCE NO. 160-95

RO #94225

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT
~~AUTHORIZATION OF~~ LITIGATION OF ALBERT TRAIAN MARCU AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $62,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City is hereby authorized to settle the action entitled "ALBERT TRAIAN MARCU V. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 951-009, by the payment of $62,500.

APPROVED AS TO FORM:
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Attorney

RECOMMENDED:

SAN FRANCISCO SHERIFF DEPARTMENT

MICHAEL HENNESSEY
Sheriff

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 06
109740 1450 $62,500.00
43796

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 1, 1995	May 8, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng
	Absent: Supervisor Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
45-95-13

May 19 1995
Date Approved

Mayor

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FILE NO. 45-95-14 ORDINANCE NO. 161-95

RO #94226

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF BRIAN SULLIVAN, ET AL. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $295,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "Estate of Brian Sullivan, et al., v. City and County of San Francisco, et al.," United States District Court No. C94-2370 by the payment of $295,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

ANTHONY D. RIBERA, Chief
POLICE DEPARTMENT

FUNDS AVAILABLE:

Controller
01 001 97 09 38
309781 1450 $295,000.00

APPROVED:

SECRETARY
Police Commission

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 1, 1995	May 8, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng
	Absent: Supervisor Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-95-14

May 19, 1995
Date Approved

Mayor

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FILE NO. 65-95-2 ORDINANCE NO. 162-95

(APPROVING A TWENTY(20) YEAR LEASE WITH THE BEACH CHALET, (L.P.)

Approving a twenty (20) year lease between the City and County of San Francisco and the Beach Chalet, L.P., which provides for the establishment and operation of a microbrewery and restaurant ("brewpub") on the second floor of the historic Beach Chalet building located at 1000 Great Highway in Golden Gate Park.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That the certain Lease between the Recreation and Park Commission, for and on behalf of the City and County of San Francisco, and the Beach Chalet L.P., a copy of which is on file in the Office of the Clerk of the Board of Supervisors and to which reference is made, is hereby approved.

Approved as to form:

LOUISE H. RENNE
City Attorney

By: Theodore R Lakey
Deputy City Attorney

Supervisors Hsieh, Bierman, Leal, Shelley
BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 1, 1995	May 8, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng
	Absent: Supervisor Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
65-95-2

May 19 1995
Date Approved

Thomas Hsieh
Mayor

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AS AMENDED IN COMMITTEE
5/3/95
AS DIVIDED IN COMMITTEE
4/12/95

FILE NO. 101-94-85

ORDINANCE NO. 163-95

(Government Funding)

RO#94199
SA#101-2

APPROPRIATING AND RESCINDING ~~$138,564~~ $3,100 FROM SALARIES AND FRINGE BENEFITS TO ALLOW TRIAL COURTS TO CREATE 3 POSITIONS FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
11-00-00	Trial Courts		
01-0100 (317214)	Permanent Salaries - Miscellaneous	$ 2,500 ~~$57,451~~	
01-0600	Mandatory Fringe Benefits	$ 600 ~~$81,113~~	
01-0100 (316281)	Permanent Salaries - Miscellaneous		$ 2,500 ~~$114,515~~
01-0600	Mandatory Fringe Benefits		$ 600 ~~$24,049~~
	Total	$ 3,100 ~~$138,564~~	$ 3,100 ~~$138,564~~

5/3/95 grh

Section 2. Funds are hereby appropriated for ~~three (3) positions~~ one (1) position created by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-94-14) as follows:

CLASS NO.	CLASSIFICATION NAME	RATE	NO. OF POS. CREATED.
~~0676 N~~	~~Reasearch Assistant~~	~~1765B2043~~	~~1~~
0697 N	Judicial Clerk	1131B1304	1
	Total Positions Created		~~3~~ 1

5/3/95 grh

5/3/95 grh

////////////////////
////////////////////

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

DEPARTMENT OF HUMAN RESOURCES

BY: [signature]
DIRECTOR

n:\excel\approp\11SA#101

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 8, 1995	$	May 15, 1995
	$	
	$	
Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Migden Shelley Teng	$	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh, Kaufman Migden Shelley
	$	
Noes: Supervisors Ammiano Bierman Kennedy	$	
	$	
	$	
Absent: Supervisor Leal	$	Absent: Supervisors Kennedy Leal Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
101-94-85

MAY 26 1995
Date Approved

Mayor

FILE NO. 102-94-14 AS AMENDED IN COMMITTEE 5/3/95 ORDINANCE NO. 164-95

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 13

AMENDING ORDINANCE NO. 293-94 (ANNUAL SALARY ORDINANCE, 1994/95)

REFLECTING THE ADDITION OF ~~THREE POSITIONS~~ ONE POSITION IN THE SUPERIOR COURT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class and Item No.	Class Title	Compensation Schedule
	Department:		11 Trial Courts	
	Division:		01 Combined Courts	
	Section:		01 Combined Courts	
	Program:		1707 Superior Court Services	
	Fund:		01001 General Fund	
	Index:		316281 Combined Courts Expense	
	Proj/Phase:		000/00 Unassigned Title	
	Object:		001 Permanent Salaries - Misc.	
5/3/95 grh ~~1 ADDED~~	~~1~~	~~0676 N Research Assistant, Superior Court~~		~~SC $1765B2043~~
1 -2- ADDED	1 -2-	0697 N Judicial Clerk		SC $1131B1304

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

Wendell Brown
HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 13

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 8, 1995	May 15, 1995
Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Migden Shelley
Noes: Supervisors Ammiano Bierman Kennedy	
Absent: Supervisor Leal	Absent: Supervisors Kennedy Leal Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Joan Lum
Acting Clerk

File No. 102-94-14

MAY 26 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 97-95-8 Amendment of the Whole 5/1/95 ORDINANCE NO. 165-95

[Adopt-a-Tree-Fund, Report of Residential Building Record, Urban Forestry Ordinance]

AMENDING SECTION 10.117-77 OF THE ADMINISTRATIVE CODE TO ALLOW DEPOSITING OF FEES, FINES, AND LIENS INTO THE ADOPT-A-TREE FUND; AMENDING SECTION 351 OF THE HOUSING CODE TO ALLOW THE RECORDING OF STREET TREE PERMITS ON THE REPORT OF RESIDENTIAL BUILDING RECORD; REPEALING THE EXISTING SECTIONS OF ARTICLE 16 OF THE PUBLIC WORKS CODE AND ADOPTING NEW SECTIONS THEREOF TO CLARIFY STREET TREE MAINTENANCE RESPONSIBILITIES, TO PROVIDE FOR IN-LIEU AND REPLACEMENT FEES, TO PROMOTE THE PLANTING AND RETENTION OF STREET TREES, TO INITIATE A COST RECOVERY FEE SCHEDULE FOR STREET TREE REMOVAL PERMITS, TO CLARIFY AND SIMPLIFY THE PROCEDURES FOR TREE PERMITS AND NUISANCE TREE ABATEMENT, AND TO INCREASE THE PENALTIES FOR VIOLATIONS OF THIS ARTICLE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 10.117-77 to allow the receipt of administrative fees, permit fees, fines, liens, and "In-Lieu" fees thereto, to read as follows (Note: additions are underlined.):

SEC. 10.117-77. Adopt-A-Tree Fund

(a) Establishment of Fund. There is hereby established a special fund for the purpose of receiving all monetary donations, administrative fees, permit fees, fines, liens, and in-lieu fees pursuant to Article 16 of the Public Works Code which may be offered

Supervisors Hallinan, Leal, Bierman, Shelley, Teng

to or collected by the City and County for the planting and maintenance of trees by the Department of Public Works. Said special fund shall be known and designated as the Adopt-a-Tree Fund.

(b) Acceptance of Gifts. All donations of money and other gifts which may be offered to the Adopt-a-Tree Fund are hereby accepted for such purposes. Any grants, gifts and bequests from private sources for this purpose shall be deposited into said special fund.

(c) Expenditure of Monies. The monies in this Fund shall be expended solely for the purposes of planting and maintaining trees under the jurisdiction of the Department of Public Works, and all such expenditures are hereby appropriated for said purposes.

(d) Interest. Interest earned from the Adopt-a-Tree-Fund shall become part of the principal thereof and shall not be expended for any purpose other than that for which said Fund is established.

(e) Accumulation of Monies in the Fund. The balance remaining in the Adopt-a-Tree Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Charter Section 6.306 and shall be carried forward and accumulated in said Fund for the purposes recited herein.

(f) Quarterly Reports to Board of Supervisors. The Department of Public Works shall submit to the Board of Supervisors on a quarterly basis a written report of revenues to and expenditures from the Adopt-a-Tree Special Fund.

Section 2. The Housing Code is hereby amended by amending

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Section 351 to read as follows (Note: additions are underlined.):

SEC. 351. REPORT.

(a) Report of Residential Building Record Required. Prior to the sale or exchange of any residential building, except the first sale or exchange, if this occurs within one year of the date of the Certificate of Final Completion of the construction of the building, the owner thereof, or their authorized agent, shall obtain from the Department of Public Works, Bureau of Building Inspection, a Report of Residential Building Record. Said report shall set forth the existing authorized occupancy or use of said residential building and the other information prescribed in Section 351(c) hereinbelow.

Such Report of Residential Building Record shall be delivered by the owner, or the authorized agent of said owner, to the buyer or transferee of said residential building prior to the consummation of the sale or exchange thereof, and the buyer shall file with the Department of Public Works, Bureau of Building Inspection, a receipt therefor, on a form furnished by said Bureau.

It shall be unlawful for the owner of such residential building to see or exchange same without first having obtained and delivered to the buyer the Report of Residential Building Record herein provided for.

In addition to the foregoing, any person licensed by the State of California to sell property shall provide upon request, to any prospective buyer a copy of the Report of Residential Building Record issued in the manner hereinabove required for any residential

property which the real estate broker has listed for sale.

(b) Residential Building Defined. A residential building, as used in this Chapter, is a building or a portion thereof containing one or more dwelling units but not including hotels containing 30 or more guest rooms, or motels.

(c) Contents of Report of Residential Building Record. The Department of Building Inspection shall, upon application in the manner hereinafter provided, issue a Report of Residential Building Record to the owner which shall contain, in respect to said residential building, the following information, insofar as ascertainable from City records:

(1) Present authorized occupancy or use.

(2) Zoning district in which located.

(3) Do records of Department of City Planning reveal an expiration date for any nonconforming use of this property?

Yes _____ No _____ If yes, what date? _____

(4) Permit of Occupancy, if any.

(5) Occupancy classification.

(6) Building Construction date.

(7) Original occupancy or use.

(8) Construction, conversion, <u>street tree permits</u> or alteration permits issued, if any.

(9) (a) Is this property a Conservation Area?

Yes _____ No _____

(b) Is this property within a project area for which a

redevelopment plan has been approved by the Board of Supervisors?

Yes _____ No _____

(c) Is this property within or does it abut upon the right-of-way of a freeway route which has been adopted by the California State Highway Commission and approved by the Board of Supervisors?

Yes _____ No _____

(d) Is this property within or does it abut the right-of-way of a route of the San Francisco Bay Area Rapid Transit District as shown on the land acquisition maps thereof? Yes _____ No _____

(e) Does this property abut upon a street which is to be widened pursuant to action of the Board of Supervisors?

Yes _____ No _____

(10) (a) Has this property been declared condemned or abated?

Yes _____ No _____

(b) Have there been condemnation or abatement hearings held, disposition of which is still pending?

Yes _____ No _____

(11) Number of structures on property.

(12) Building in Fire Zones?

Yes _____ No _____

(13) (a) Has an energy inspection been completed?

Yes _____ No _____

(b) If yes, has a proof of compliance been issued?

Yes _____ No _____

(14) Has there been a notice of noncompliance sent to the State Franchise Tax Board?

Yes _____ No _____

On the face of the report shall appear the following note in bold 10-point type:

Beware. This report describes the current legal use of this property as compiled from records of City Departments. There has been no physical examination of the property itself. This record contains no history of any plumbing or electrical permits. The report makes no representation that the property is in compliance with the law. Any occupancy or use of the property other than that listed as authorized in this report may be illegal and subject to removal or abatement, and should be reviewed with the Department of City Planning and the Department of Public Works.

Section 3. Article 16 of the Public Works Code Sections 800 through and inclusive of Section 815, is hereby repealed in its entirety.

Section 4. A new Article 16 of the Public Works Code, Sections 800 through and inclusive of Section 814, is hereby enacted to read as follows (Note: All language is new.):

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SEC. 800. TITLE. This Ordinance shall be known as the San Francisco Urban Forestry Ordinance.

SEC. 801. PURPOSE. The San Francisco Urban Forestry Ordinance is enacted to further the following public purposes:

(a) To realize the optimum public benefits of trees on the City's streets and public places, including favorable modification of micro-climates, abatement of air and noise pollution, reduction of soil erosion and runoff, enhancement of the visual environment, and promotion of community pride;

(b) To integrate street planting and maintenance with other urban elements and amenities, including but not limited to utilities, vehicular and pedestrian traffic, and enhancement of views and solar access;

(c) To promote efficient, cost effective management of the City's urban forest by coordinating public and private efforts within a comprehensive and professional management system;

(d) To reduce the public hazard, nuisance, and expense occasioned by improper tree selection, planting, and maintenance;

(e) To provide for the creation of an equitable, sustained, and reliable means of funding urban-forest management throughout the City;

(f) To create and maintain a unified urban-forest resource, enhancing the City's overall character and sense of place.

SEC. 802. DEFINITIONS. Unless the context specifically indicates otherwise,

(a) "Administrative cost" shall mean 20% of the Department's actual replacement cost, or a minimum of $100, whichever is greater.

(a) "City" shall mean the City and County of San Francisco.

(b) "Community Boards" of San Francisco shall mean the neighborhood mediation/dispute settlement service established under the auspices of The Community Board Program, Inc.

(c) "Department" shall mean the Department of Public Works of the City and County of San Francisco.

(d) "Director" shall mean the Director of the Department of Public Works or the Director's designee.

(e) "Ex-Officio" shall mean a current employee of any City Department, or California or Federal agency whose appointment to the Tree Board has been approved by the Director.

(f) "Injure" or "injury" shall mean any act which harms or damages a tree, including but not limited to impact, cutting, carving, transplanting, or knocking over, and includes but is not limited to the following: injurious attachment of any rope, wire, nail, advertising poster, or other contrivance to any street tree as set forth in Section 675 and 675.1 of the Municipal Police Code; intentionally or negligently allowing any gaseous, liquid, or solid substance that is harmful to a tree to come into contact with a tree; setting fire or intentionally or negligently permitting any fire to burn when such fire or the heat therefrom will injure any part of any tree; pruning which in and of itself will kill or cause

a tree to decline; or severing of all or part of a tree.

(g) In-lieu fee shall mean a fee deposited into the Adopt-A-Tree Fund and imposed by the Director. The in-lieu fee shall be equal to the replacement value of a tree(s) to be removed or trees that have been destroyed. In the case of trees required to be planted by Section 143 of the City Planning Code, yet excused under Section 143(d) of the Planning Code, the in-lieu fee shall be equal to the City's cost to plant and water a tree for two years.

(h) "Landmark tree" shall mean a tree so designated pursuant to Section 810 of this Article.

(i) "Landscape material" shall mean any tree, shrub, ground cover or other plant.

(j) "Maintenance" shall mean those actions necessary to promote the life, growth, health, or beauty of a tree. Maintenance includes both routine and major activities. "Routine maintenance" shall include adequate watering to ensure the tree's growth and sustainability; weed control; removal of tree-well trash; staking; fertilizing; routine adjustment and timely removal of stakes, ties, tree guards, and tree grates; bracing; and sidewalk repairs related to the tree's growth or root system pursuant to Section 706 of this Code. "Major maintenance" shall include structural pruning as necessary to maintain public safety and to sustain the health, safety, and natural growth habit of the tree; pest and disease-management procedures as needed and in a manner consistent with public health and ecological diversity; replacement of dead or

damaged trees.

(k) "Median strip" shall mean the dividing area in the public way between opposing lanes of vehicular traffic.

(l) "Notice" shall mean written notice by personal delivery or by mailing, either by letter or postal card postage prepaid to the last known address as the same appears on the City's most recent assessment rolls.

(m) "Nuisance tree" shall mean any tree that poses a hazard to person or property. A tree may be deemed a nuisance if it or any part of it: (1) appears dead, dangerous, or likely to fall; (2) obstructs or damages a street or sidewalk; (3) harbors a serious disease or infestation threatening the health of other trees; (4) interferes with vehicular or pedestrian traffic; (5) obstructs official street cleaning activities; or (6) poses any other significant hazard or potential hazard, as determined by the Director.

(n) "Person" shall mean any individual, firm, partnership, association, corporation, company, or organization of any kind.

(o) "Planting" shall mean putting or setting into the ground or into a container to grow and irrigating until self-sufficient.

(p) "Removal" shall mean any intentional or negligent moving, carrying away, elimination or taking away of part or all of a tree.

(q) "Replacement value" shall mean the actual cost to the

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Department of replacing a tree or landscape material removed or destroyed with a comparable tree or landscape material. Certain trees or landscape material, because of their size, species or historical significance, cannot be replaced from available nursery stock. In such case, "replacement value" shall be determined pursuant to the valuation formula adopted by the International Society of Arboriculture, as amended from time to time, plus the Department's actual costs to replace the tree. "Replacement value" shall include the Department's administrative costs.

(r) "Sidewalk" shall mean the area between the curbing and the abutting private property lot line, whether paved or unpaved, as legislated by the Board of Supervisors and as reflected in the Department's official maps.

(s) "Street" shall mean the vehicular travel-way portion of any public street, avenue, boulevard, lane, road, parkway, freeway, or other public way.

(t) "Street Tree" shall mean any tree growing within the public right-of-way, including unimproved public streets and sidewalks, and any tree growing on land under the jurisdiction of the Department.

(u) "Tree" shall mean any large perennial plant having a woody trunk(s), branches, and leaves.

(v) "Tree Advisory Board" or "Tree Board" shall mean a board of private citizens to be appointed and to perform specific duties as set forth in Section 803 of this Article.

(w) "Urban Forest" shall mean all trees on public streets and rights of way within the borders of the City and County of San Francisco and any trees growing on land subject to the jurisdiction of the Department.

SEC. 803. TREE ADVISORY BOARD; ESTABLISHMENT; APPOINTMENT; POWERS AND DUTIES. (a) There is hereby established an advisory board to be known as the Tree Advisory Board consisting of nine (9) private citizens, at least three (3) of whom shall be professionally trained and experienced in a tree-related field. All members of the Tree Board shall serve without compensation. Members shall be appointed by the Director for a term of four years and shall serve at the Director's pleasure. All terms shall commence 30 days after the enactment of this Article. Members may serve successive terms without limitation. At least one member shall be selected from a list of persons nominated by the Director, one from a list nominated by the Mayor, and one from a list nominated by the Board of Supervisors. At least one Department Representative shall serve as an ex-officio non-voting member of the Tree Board. Any City agency, State agency, or Federal agency may request of the Director an appointment to the Tree Board as an ex-officio non-voting member.

(b) The Tree Board shall meet at least six times a year and shall establish its own operating procedures which, at a minimum, shall meet the public notice, meeting, voting, agenda and other procedural requirements of Section 3.500 of the San Francisco Charter.

(c) The Tree Board shall serve in an advisory capacity to the Director or his designee on matters relating to this Article and to tree management in the City. The responsibilities of the Tree Board may include but shall not be limited to the following:

(1) Studying the problems and determining the needs of the City concerning its street tree planting and maintenance programs, and advising the Director in this regard;

(2) Preparing for the Director an annual report detailing the state of the urban forest;

(3) Recommending to the Director appropriate species of trees to be planted on City streets or other areas under the Department's jurisdiction;

(4) Working with the Community Boards of San Francisco in developing guidelines, standards, and procedures for the mediation of conflicts between property owners over the protection of views, solar access, planting/removal of trees, and other tree-related issues;

(5) Working with the Director concerning the maintenance of an Urban Forestry Management Plan;

(6) Developing and recommending criteria for establishing "landmark" status for trees under the jurisdiction of the Department;

(7) Recommending to the Director information to be distributed to the public concerning the selection, planting, and maintenance of trees throughout the City; and

(8) Recommending to the Director desirable City tree

programs and activities, including legislation and funding mechanisms.

SEC. 804. JURISDICTION. (a) Department's Jurisdiction. The Department shall have jurisdiction over the planning, planting, maintenance, and removal of trees in any street or other public right of way as defined in Section 244 of this Code; over any landscape material in any street median, center strip, or other landscaped portion of a public right-of-way; over trees and other landscape material in other public spaces under the jurisdiction of the Department; and over nuisance trees on private property only as specified in Section 809 of this Article.

SEC. 805. RESPONSIBILITY FOR MAINTENANCE OF STREET TREES.

(a) Responsibilities of Property Owners. Except as specified in subsections 805(b) and (c) below, it shall be the duty of owners of lots or portions of lots immediately abutting on, fronting on or adjacent to any street tree to maintain such street tree. This duty shall include both routine and major maintenance of the street tree. It shall be the responsibility of all public agencies, including City, state and federal agencies, to maintain street trees abutting on such public agency's property in accordance with this section. In addition, and in accordance with section 706 of this Code, abutting property owners shall be responsible for the care and maintenance of the sidewalk and sidewalk areas adjacent to any street tree.

Any person who suffers injury or property damage as a legal

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result of the failure of the owner to so maintain a street tree, sidewalk and sidewalk areas shall have a cause of action for such injury or property damage against such property owner. In addition to its rights under section 706 of this Code, the City and County of San Francisco shall have a cause of action for indemnity against such property owner for any damages the City may be required to pay as satisfaction of any judgment or settlement of any claim that results from injury to persons or property as a legal result of the failure of the owner to maintain a street tree in accordance with this Section.

The Department shall have available to interested persons, upon request, public pruning standards to ensure that street trees receive proper care.

(b) Responsibilities of the Department. The Department may, at the Director's discretion, determine to undertake the regular routine and/or major maintenance of certain street trees or corridors of street trees to promote consistency in the maintenance of trees or in the public interest. Where the Department determines to undertake such regular maintenance of street trees, the Director shall specify in writing by Departmental Order those trees or corridors of trees for which it has undertaken maintenance responsibility and shall specify in writing whether the Department will be responsible for routine or major maintenance, or both. Such determinations by the Department shall be readily accessible to property owners and members of the public. Where the Department has

undertaken certain maintenance responsibility for street trees in writing, the abutting property owner shall be relieved of responsibility for such street tree maintenance.

Where the Department assumes maintenance responsibilities after the effective date of this Article, it shall send written notice of that fact to the abutting property owner.

(c) Department Inventory and Publication of Street Tree Responsibilities. The Department shall use its best efforts to maintain an inventory of all trees under its jurisdiction.

As of the effective date of this Article, the Department shall continue to maintain street trees listed in its database as Department-maintained trees. Such information shall be made available to the public upon request.

Within 120 days of the effective date of this Article, the Department shall publish in a newspaper of general circulation in the City a list of all trees or corridors of trees maintained by the Department.

(d) Department Relinquishment of Street Tree Maintenance. The Director may, in his or her discretion, determine to relinquish tree maintenance responsibilities for certain trees or corridors of trees. Prior to such relinquishment, the Director shall post the affected trees and send notice to abutting property owners of the Department's intent to relinquish maintenance responsibilities on a date certain. Within ten (10) days of the posting and mailing of such notice, any affected property owner may object in writing to

such relinquishment. At the written request of any person, the Director will hold a hearing prior to relinquishing maintenance responsibility for a particular tree or corridor of trees. The Director's decision on such relinquishment shall be final and non-appealable.

Prior to relinquishing maintenance responsibilities, the Department shall perform all necessary major tree maintenance. As of the date designated by the Director, all tree maintenance and tree-related maintenance shall be the responsibility of the abutting property owner.

SEC. 806. PLANTING AND REMOVAL OF STREET TREES.

(a) Planting and Removal By the Department.

(1) The Department may determine to plant a new tree(s) in a sidewalk or public right of way. When the Department determines to plant a new street tree(s), the Department will undertake maintenance responsibility for such new street tree and shall send a courtesy notice to the abutting property owner prior to planting such new tree. Any objections to the proposed work must be submitted to the Director in writing and postmarked within thirty (30) days after notice by the Director. The Director shall consider such objections and may hold a hearing, in the Director's discretion. The Director's decision on the matter shall be final and non-appealable.

(2) Except in the case of manifest danger and immediate necessity, as determined by the Director, no street tree shall be

cut down or removed by the Department unless ten (10) days prior written notice is given to the owner of the abutting property. In addition, ten (10) days prior to the removal date, the Department shall post a notice on the affected tree. If within ten (10) days after the giving of such notice any person files with the Department written objections to the removal, the Director will hold a hearing prior to removing the tree. Written notice of the date, time and place of the hearing shall be posted on the affected tree and sent to the objecting party not less than seven (7) days prior thereto. The Director shall issue his or her written decision and order on the objections after a public hearing. The Director's decision shall be final and non-appealable.

(b) Planting and Removal By Persons Other Than The Department.

(1) It shall be unlawful for any person to plant or to remove any street tree without a valid permit for such work issued by the Department. All permits for the planting or removal of street trees issued by the Director for residential properties shall be recorded on the Report of Residential Building Records in accordance with Section 351 of the Housing Code. All work associated with a street tree permit must be completed within six months of issuance, unless an extension has been granted by the Department.

(2) An abutting property owner who desires a permit to plant a stre tree shall apply to the Department on the designated form.

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If approved by the Director, a permit to plant the specified species of tree(s) shall be issued to the applicant. There shall be no administrative fee imposed for a permit to plant a street tree unrelated to property development. The Director's decision on a street tree planting permit shall be final and appealable to the Board of Permit Appeals.

(3) An abutting property owner who desires a permit to remove a street tree shall apply to the Department on the designated form. Such application must be accompanied by an administrative fee in accordance with a fee schedule adopted by the Director. The Department may grant or deny the permit. If the Department grants a tree removal permit, it may require that another street tree be planted in the place of the removed tree or impose an in-lieu fee.

In addition, ten (10) days prior to the removal date, the Department shall post a notice on the affected tree. If within ten (10) days after the giving of such notice any person files with the Department written objections to the removal, the Director will hold a hearing prior to removing the tree. Written notice of the date, time and place of the hearing shall be posted on the affected tree and sent to the objecting party not less than seven (7) days prior thereto. The Director will issue his or her written decision and order on the objections after a public hearing. The Director's decision shall be final and appealable to the Board of Permit Appeals.

SEC. 807. DEPARTMENT OF PUBLIC WORKS URBAN FORESTRY PROGRAM; POWERS AND DUTIES. (a) Arterial Planting Program. The Department shall continue its program of appropriate street tree planting along major traffic routes and commercial streets throughout the City.

(b) Neighborhood Planting Program. The Department shall continue to encourage and support neighborhood planting programs. Support may include, but need not be limited to, provision of trees and materials, sidewalk cutting and removal, planting labor, technical advice, and organizational assistance. The Department is hereby authorized to donate such funds, materials and labor to neighborhood planting programs as are deemed by the Director to be in the public interest and in the interest of the promotion of the urban forest.

(c) Public Education. The Department shall undertake an on-going program of public outreach and education in order to promote public understanding of the City's urban forest and public adherence to the standards and procedures established under this Article.

(d) Authority Over Site Development Plans. The Department shall have the authority to review and comment on site development plan applications received by the City's Central Permit Bureau that pertain to the planting, alteration, or removal of street trees. The Department shall also have the authority to review and comment on site development plan applications that pertain to the alteration or removal of landmark trees designated pursuant to Section 810(a)

of this Article.

If the Zoning Administrator modifies or waives the requirements of Planning Code section 143 pursuant to Planning Code section 143(d), the Department may impose an in-lieu fee of the property owner so excused. Further, if a property owner is required to plant a street tree pursuant to Planning Code section 143, the Department can require that the property owner maintain such tree or replace any such tree that subsequently dies or is removed by any person, or pay an in-lieu fee.

(e) Adopt-A-Tree Fund. Pursuant to Section 10.117-77 of the Administrative Code, the Department shall maintain an Adopt-A-Tree Fund to enhance the urban forestry program.

(f) In-Lieu Planting Program. The Department shall develop and implement an In-Lieu Planting Program to offset the loss of street trees due to removal, destruction, or death. The In-Lieu Planting Program shall also compensate for the loss of trees required to be planted by Section 143 of the Planning Code, yet excused by the Zoning Administrator pursuant to Planning Code section 143(d). The Department may impose an in-lieu fee in accordance with a fee schedule adopted by the Director where a street tree is destroyed, removed or is excused from planting where otherwise required by Planning Code section 143. The Department may also assess an in-lieu fee as mitigation for violation of the requirements of this Article. In-lieu fees shall be deposited in the Adopt-A-Tree Fund.

(g) Tree Adoption Program. The Department shall develop and implement a tree adoption program to allow persons to donate money for the purpose of tree planting and maintenance. Money donated to the City and County for the purpose of tree planting and maintenance shall be deposited into the Adopt-A-Tree Fund.

SEC. 808. PROTECTION OF TREES AND LANDSCAPE MATERIAL. (a) Injury to or Destruction of Trees Prohibited. It shall be unlawful for any person to intentionally, maliciously or through gross negligence injure or destroy a street tree or any tree on City property. Removal of a tree under City order or removal in accordance with a permit issued pursuant to Section 806 of this Article is exempt from this prohibition.

(b) Injury to or Destruction of Landscape Materials Prohibited. It shall be unlawful for any person to intentionally, maliciously or through gross negligence injure or destroy any landscape material in any street median, center strip, or other landscaped portion of a public right-of-way under the City's jurisdiction, except as authorized by the Department.

(c) Construction Work: Protection of Trees Required. It shall be unlawful for any person to engage in any construction work on private or public property without first taking steps to protect street trees from damage, including damage caused by soil compaction or contamination. All trees on any street or other publicly owned property near any excavation, construction, or street work shall be adequately protected.

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SEC. 809. NUISANCE TREES; ABATEMENT. (a) Notice to Property Owner(s). Upon a finding by the Director that a tree on private property or a street tree for which a property owner is responsible is a "nuisance tree" as defined herein, the Director shall send notice to the property owner(s) which describes the condition creating the nuisance, the actions required to be taken to abate the nuisance, and the date by which compliance must be completed. Required action may include replacement or removal of the tree. In cases of extreme danger, as determined by the Director, the Director may require immediate compliance.

(b) Director of Public Works To Abate Nuisance If Owner Fails To Do So. If the responsible property owner does not undertake in a timely manner the abatement action, as required by said notice, the Director may perform necessary work to abate the nuisance. The cost of such abatement, including labor, equipment, materials, inspection services, and administrative costs, shall be an obligation owing by the responsible property owner(s) to the City.

(c) Method of Enforcement and Collection of Lien. The Department shall send notice of assessment of costs to the responsible property owner. Such notice shall include a statement that payment is due within sixty (60) days of the mailing date of the notice. If a responsible property owner fails timely to remit payment, the Department shall send a second notice of payment due. Such second notice shall include a statement that failure timely to remit payment in full to the City within thirty (30) days of the

mailing of the second notice shall cause the Director to institute lien proceedings pursuant to Sections 706.4 - 706.7 of this Code. Enforcement and collection of liens for costs associated with nuisance tree abatement shall be in accordance with Sections 706.4 - 706.7 of this Code, except that all monies received in payment of such liens shall be credited to the Adopt-A-Tree Fund.

SEC. 810. LANDMARK TREES. (a) Designation. With the advice of the Tree Board and following a public hearing, the Director shall adopt criteria for the designation of landmark trees, which criteria shall include consideration of the age, size, shape, species, location, historical association, visual quality, or other contribution to the City's character. Upon the recommendation of the Director, the Board of Supervisors may designate as a "landmark tree" any street tree or any tree on property under the jurisdiction of the Department meeting the criteria adopted by the Director, or may rescind such designations. Any person seeking to have a tree designated as a landmark must pay all costs related to the Board of Supervisors' hearing.

(b) Advise the Zoning Administrator. Upon request by the Zoning Administrator, the Director shall advise the Zoning Administrator regarding landmark trees on a proposed construction site. The Department shall propose measures to protect landmark trees on a construction site against damage to trunk, roots, and branches.

(c) Removal; Special Permit Required. Except in the case

of manifest danger and immediate necessity, landmark trees shall be removed only upon a determination of the Board of Supervisors following a public hearing. The Director shall issue criteria governing such determinations. If the Board of Supervisors determines that removal of a landmark tree is necessary or permissible, it may impose such reasonable conditions on the permit for removal as it deems necessary to compensate for the loss of the tree, including but not limited to the replacement value of the tree, and administrative costs, or contribution to the Adopt-A-Tree Fund. Any person seeking permission to remove a landmark tree must pay all costs related to the Board of Supervisors' hearing.

SEC. 811. PENALTIES FOR VIOLATION OF ORDINANCE. (a) Criminal Penalties. Violation of any of the provisions of sections 806, 808 and 810(c) of this Article shall be chargeable as an infraction or a misdemeanor. Every violation determined to be an infraction is punishable by a fine of $200 for a first violation and $400 for each additional violation within one year. Every violation determined to be a misdemeanor is punishable by a fine not exceeding $1,000 and/or imprisonment in the County Jail for a period not to exceed six months, for each offense.

(b) Administrative Civil Penalties. In addition to the penalties set forth in subsection (a) above, any person who removes, damages, or destroys a tree in violation of the provisions of this Article shall pay a sum of money equal to the tree's replacement value or the diminishment of the tree's value. Any and all amounts

paid or collected pursuant to this subsection shall be deposited into the Adopt-A-Tree Fund.

SEC. 812. ENFORCEMENT OF ORDINANCE. DESIGNATED EMPLOYEES. The classes of employees of the City and County of San Francisco set forth below shall have the duty of enforcing the provisions of this Article including, but not limited to, the unauthorized removal, injury or destruction of street trees or landmark trees.

Classification No.	Class Title
3418	Gardener Supervisor
3422	Park Section Supervisor
3426	Urban Forester
3436	Tree Topper Supervisor I
5170	Superintendent, Street Environmental Services
5173	Assistant Superintendent, Street Environmental Services
7281	Street Cleaning Supervisor II
8280	Environmental Control Officer

SEC. 813. URBAN FOREST MANAGEMENT PLAN. The Department shall use its best efforts to ensure that activities of the Department are guided by the Urban Forest Management Plan entitled "The Trees of San Francisco" and adopted on April 16, 1991. The Department shall update and improve the Urban Forest Management Plan as necessary.

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SEC. 814. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Article or any part thereof is for any reason held to be invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Article or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid or ineffective.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

RECOMMENDED:

John E. Cribbs
Director of Public Works

Approved:

Rudolf Nothenberg
Chief Administrative Office

Board of Supervisors, San Francisco

Passed for Second Reading

May 1, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

Finally Passed

May 8, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng

Absent: Supervisor Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
97-95-8

May 19, 1995
Date Approved

Mayor

FILE NO. 97-95-16 ORDINANCE NO. 166-95

(EMPLOYEE HEALTH COVERAGE)

AMENDING SECTION 16.157, SAN FRANCISCO ADMINISTRATIVE CODE, APPROVING HEALTH SERVICE SYSTEM PLANS AND RATES OF CONTRIBUTION AS ADOPTED BY THE HEALTH SERVICE BOARD.

Be it ordained by the people of the City and County of San Francisco.

Note: Additions or substitutions are underlined
deletions are in ((double parenthesis))

Be it ordained by the People of the City and County of San Francisco.

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 16.157 to read as follows:

Section 16.157. HEALTH SERVICE SYSTEM: PLAN AND CONTRIBUTION RATES. Changes in contribution rates adopted by the Health Service Board, as respects the plans of the Health Service System, to become effective on July 1, ((1994)) 1995 for the fiscal year July 1, ((1994)) 1995 through June 30, ((1995)) 1996 approved by the Health Service Board in actions taken by it on ((February 8, 1994)) February 9, 1995 and March 9, 1995 which plans and contribution rates are on file with the Clerk of the Board of Supervisors, are hereby approved.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Claude Kolm
Deputy City Attorney

RECOMMENDED:

Randall B. Smith
Health Service System

Wendell L. Pryor
Human Resources Director

HEALTH SERVICE SYSTEM

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

May 1, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

Finally Passed

May 8, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng

Absent: Supervisor Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
97-95-16

May 19, 1995
Date Approved

Mayor

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FILE NO. 97-95-18 AS AMENDED IN COMMITTEE 4/26/95 ORDINANCE NO. 167-95

[GUELFF FUND]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.117-115 TO ESTABLISH A PEACE OFFICERS' SAFETY FUND FOR PURCHASE OF SEMI-AUTOMATIC FIREARMS AND RELATED EQUIPMENT, AND ACCEPTING GIFTS TO THAT FUND AND LIMITING EXPENDITURES FROM THAT FUND.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

The San Francisco Administrative Code is hereby amended by adding Section 10.117-114 thereto, reading as follows:

SEC. 10.117-115 JAMES GUELFF MEMORIAL PEACE OFFICER'S SAFETY FUND

(a) There is hereby established a special fund to receive monies for the purchase of semi-automatic service firearms, ammunition, holsters, magazines, related leather gear, for use by the San Francisco Police Department and its officers, and for the support of the police range facility and special training costs. The special fund shall be known and designated as the James Guelff Peace Officer Memorial Fund.

(b) Gifts. All donations of money and property which may from time to time be offered to the James Guelff Memorial Peace

Officers' Safety Fund are hereby accepted for the purposes described in paragraph (a).

(c) Expenditure of Monies. The monies in this fund shall be expended solely for the purpose of purchasing semi-automatic service firearms, ammunition, holster, magazines, related leather gear for use by the San Francisco Police Department and its officers, and for the support of the police range facility and special training costs. All expenditures from this fund in excess of $40,000 are subject to appropriation approval by the Board of Supervisors.

4/26/95 grh

(d) Accumulation of Monies in Fund. The balance remaining in this fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Charter Section 6.306 and shall be carried forward and accumulated in the fund for the purposes recited herein.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 1, 1995	May 8, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng
	Absent: Supervisor Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
97-95-18

May 11, 1995
Date Approved

Mayor

FILE NO. 118-94-3 ORDINANCE NO. 168-95

(Hazardous Materials)

AMENDING PART II, CHAPTER 5 (HEALTH CODE), ARTICLE 21 OF THE SAN FRANCISCO MUNICIPAL CODE, BY AMENDING SECTIONS 1114, 1115, 1161, AND 1176 TO EXEMPT SPECIFIED CATEGORIES OF MEDICAL PRACTITIONERS FROM REGISTRATION RENEWAL, AND TO MAKE TECHNICAL CHANGES CONCERNING INSPECTION FORMS AND CERTAIN FEES.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter 5 (Health Code), Article 21, Section 1114, is hereby amended to read as follows:

SEC. 1114. CONTENTS OF CERTIFICATE OF REGISTRATION AND POSTING.

(a) The certificate of registration shall contain the following information:

1. The name and address of the registrant for purposes of notice and service of process;

2. The street address of the establishment for which the certificate of registration is issued;

3. The registered quantity limit(s) for the storage

facility(s);

4. The date the certificate of registration is effective;

5. The date of expiration ((.)), except for those registrants exempted from renewal under Section 1115 of this article.

b) Each certificate of registration shall include requirements that the registrant reimburse the City for extraordinary costs, in addition to applicable registration fees, for inspection and monitoring, administration, incidental expenses and cleanup and remediation costs resulting from releases of hazardous materials or failure by the registrant to handle hazardous materials in accordance with the requirements of this article. Certificates of registration shall not be renewed unless all such costs have been paid to the City.

(c) The registrant shall post a copy of the certificate of registration obtained pursuant to this section, in a location open to public access at all times, at each establishment for which a certificate of registration is obtained.

Section 2. Part II, Chapter 5 (Health Code), Article 21, Section 1115, is hereby amended to read as follows:

SEC. 1115. TERM, RENEWALS AND TRANSFERS.

(a) A certificate of registration shall be issued for a

term of two (2) years, except as otherwise provided in this article.

(b) Except as provided in subsection (c) of this Section, ((T)) the registrant shall submit an application for a renewal at least thirty (30) days prior to the expiration date of the certificate of registration. The application for renewal shall include a certification by the registrant that it has reviewed all information previously submitted for its current registration to determine if any revisions are needed and that it has made any necessary changes to the previously submitted application. A copy of any changes shall be submitted to the Department of Health as part of the renewal application.

(c) A physician, dentist, podiatrist, veterinarian, or pharmacist, who is required pursuant to Section 1110 to obtain a certificate of registration solely because he or she operates an establishment that handles oxygen or nitrous oxide or both, is exempt from filing a renewal application and paying a biennial renewal fee as provided in this Section and Section 1176(b) of this article, provided that at any one time the total container capacity of oxygen or nitrous oxide, as determined in accordance with the provisions of Section 1110, is less than one thousand (1,000) cubic feet of each material at standard temperature and pressure. If a business that is exempted from registration renewal, at any one time handles oxygen or nitrous oxide in a container or containers with a total capacity that is equal to or

greater than one thousand (1,000) cubic feet of each material at standard temperature and pressure, or handles any other hazardous material that meets any of the criteria set forth in Section 1110, then the business shall no longer qualify for the exemption and shall comply with the registration renewal requirements of this article.

((c))(d) The certificate of registration is not transferable to another owner, address or physical location within the same address.

Section 3. Part II, Chapter 5 (Health Code), Article 21, Section 1161, is hereby amended to read as follows:

SEC. 1161. INSPECTIONS BY REGISTRANT OR PERMITTEE.

(a) The registrant or permittee shall conduct regular inspections of its own establishments at least quarterly to assure compliance with this article and shall maintain logs or file reports as required by the Director of Health. Documentation of inspections shall be kept either on forms provided by the Director of Health or on alternate forms, provided that the alternate forms contain all of the information found on the forms provided by the Director. Documentation of inspections shall be ((and)) made available by the registrant or

permittee upon request.

(b) The Director of Health may require the owner or operator of an underground storage tank, upon request, to submit any information relevant to the compliance with this article, to conduct monitoring or testing, and to report the results of that monitoring or testing under penalty of perjury.

Section 4. Part II, Chapter 5 (Health Code), Article 21, Section 1176, is hereby amended to read as follows:

SEC. 1176. HAZARDOUS MATERIALS FEE SCHEDULE.

(a) Fees generally. Fees for services and regulatory functions of the Department of Public Health pursuant to this article shall be as provided in this section.

(b) Biennial processing fee. Except for those registrants exempted from renewal under Section 1115 of this article, ((A)) an establishment required to obtain a certificate of registration shall pay a biennial processing fee of $340.00.

(c) Certificate of registration fees.

(1) Certificate of registration fees shall be payable on the filing of a complete application for a certificate of registration and on biennial renewal. On the filing of an addendum disclosing increased quantities or previously undisclosed hazardous materials, a certificate of registration

fee is due equal to the difference between the most recently charged registration fee and the fee due taking into account the information in the addendum.

(2) Certificate of registration fees shall be as follows:

(A) Temporary certificate of registration, (($170.00)) $85.00.

(B) Freight forwarding and freight transportation services establishments, $170.00.

(C) Underground storage tanks, $170.00 per establishment. Certificate of registration fees for other hazardous materials handled at the establishment shall be as provided in subsection (c)(2)(D).

(D) For all other hazardous materials, a fee equal to the sum of fees for the quantity of liquids, quantity of solids and quantity of gases required to be registered by the establishment, excluding hazardous materials contained in underground storage tanks. Quantity groups will be used to determine the fees for liquids, solids and gases as shown in Chart I. The corresponding fees for the quantity groups are shown in Chart II.

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CHART I
QUANTITY GROUPS

Group No.	Quantity of Liquids (Gallons)	Quantity of Solids (Pounds)	Quantity of Gases (Cubic Feet)
1	less than 55	less than 500	less than 200
2	55 - 99	500 - 999	200 - 1,499
3	100 - 499	1,000 - 1,499	1,500 - 2,499
4	500 - 999	1,500 - 1,999	2,500 - 3,999
5	1,000 - 1,499	2,000 - 3,499	4,000 - 4,999
6	1,500 - 1,999	3,500 - 4,999	5,000 - 5,999
7	2,000 - 2,749	5,000 - 7,499	6,000 - 6,999
8	2,750 - 3,499	7,500 - 9,999	7,000 - 7,999
9	3,500 - 4,499	10,000 - 14,999	8,000 - 8,999
10	4,500 - 5,499	15,000 - 19,999	9,000 - 9,999
11	5,500 - 6,499	20,000 - 24,999	10,000 - 12,499
12	6,500 - 7,499	25,000 - 29,999	12,500 - 14,999
13	7,500 - 8,999	30,000 - 39,999	15,000 - 17,499
14	9,000 - 9,999	40,000 - 49,999	17,500 - 19,999
15	10,000 or greater	50,000 or greater	20,000 or greater

CHART II
CERTIFICATE OF REGISTRATION FEE SCHEDULE

Registration Fee	Quantity Group
$ 34	1
$ 68	2
$102	3
$136	4
$170	5
$204	6
$238	7
$372	8
$306	9
$340	10
$374	11
$408	12
$442	13
$476	14
$510	15

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(d) Permit fees.

(1) Acutely hazardous materials permit fees. An establishment required to obtain a permit to operate an AHM storage facility shall pay an annual permit fee to cover the cost of permit application review, including but not limited to verification of information and hazard classification of the facility inventory. Once an AHM permit is obtained, the establishment is not required to pay the biennial processing fee and certificate of registration fees provided for in Section 1176(b) and (c). If a permit is obtained prior to the expiration of a certificate of registration, the permittee shall receive a permit fee credit equal to the processing fee and certificate of registration fee allocated on a prorata basis over the unexpired term of the certificate of registration. Permit fees shall be as follows:

(A) Temporary permit fee and up to one hour of field inspection, $170.00.

(B) Underground storage tanks at the AHM facility, see permit fee for underground storage tanks, Section 1176(d)(2).

(C) For all other hazardous materials handled at the establishment, the permit fee shall be based on a combination of quantity group and number of hazard classes of hazardous materials required to be registered by the establishment, excluding hazardous materials contained in underground storage

tanks. Permit fees are shown in Chart III. The quantity group used to determine permit fees shall be the highest quantity group number of the quantity groups assigned to the establishment's registered solids, liquids and gases, based on the quantity groups in Chart I. The number of hazard classes shall be determined by the Department based on all registered hazardous materials, excluding hazardous materials in underground storage tanks.

(2) Underground storage tank permits. An establishment required to obtain a UST operating permit shall pay an annual fee of $85 per tank.

(e) Miscellaneous Other Fee Schedules. Other hazardous materials fees shall be as follows:

Type of Fee	Amount
Application fee for UST repair, modification, removal or closure approval & up to 3 hours field inspection, per ((tank)) site	((($363.00)) $442.50
Inspection fee for Fire Department exceeding 3 hours for UST repair, modification, removal, or closure, per hour	((($ 36.00)) $62.50
Filing of addendum to a certificate of registration	$170.00
Field inspection fee, per hour	$ 85.00
Permit review by Department of City Planning	$ 40.00
Fire Department field inspection for permit issuance or renewal when not required by Fire Code, per hour	((($ 36.00)) $62.50

Closure plan processing fee & up & up to 3 hours of plan review	$255.00
Closure plan review exceeding 3 hours, per hour	$ 85.00
Consultation fee, per hour	$ 85.00
File searches, per hour	$ 85.00
Director's Hearing pursuant to Sections 1137(a)(3),(4),(5).	$125.00

((e))(f) Additional Fees as Penalties. Additional fees assessed pursuant to Sections 1111, 1120 and 1120.1 shall be as follows:

Type of Fee	Amount
Site investigation	$170.00
Failure to timely register or obtain an AHM permit, unless otherwise provided in this section	$340.00
Failure to timely register a temporary storage facility	$85.00
Failure to timely register a ((temporary storage facility or)) freight forwarding & freight transportation service	$170.00
Failure to timely obtain a UST permit, ((or permit for a freight forwarding & freight transportation service facility)) unless otherwise provided in the section	((($170.00)) $ 85.00
Failure to obtain approval to modify, repair, close or remove an UST.	$500.00
Failure to schedule a site inspection prior to the modification, repair, closure or removal of an UST.	$250.00

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CHART III

PERMIT FEES FOR AMM STORAGE FACILITIES

Quantity Groups

# MAX	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Classes															
1-2	$ 285.00	327.50	370.00	412.50	455.00	497.50	540.00	582.50	625.00	667.50	710.00	795.00	880.00	1050.00	1220.00
3	$ 327.00	370.00	412.50	497.50	625.00	752.50	880.00	965.00	1050.00	1135.00	1220.00	1305.00	1390.00	1475.00	1560.00
4	$ 370.00	412.50	455.00	540.00	667.50	795.00	965.00	1050.00	1135.00	1220.00	1305.00	1390.00	1475.00	1560.00	1730.00
5	$ 412.50	497.50	540.00	667.50	795.00	922.50	1050.00	1135.00	1220.00	1305.00	1390.00	1475.00	1560.00	1730.00	1900.00
6	$ 455.00	625.00	667.00	795.00	922.50	1050.00	1135.00	1220.00	1305.00	1390.00	1475.00	1560.00	1730.00	1900.00	2070.00
7	$ 497.50	752.50	795.00	922.50	1050.00	1135.00	1220.00	1305.00	1390.00	1475.00	1560.00	1730.00	1900.00	2070.00	2225.00
8	$ 540.00	795.00	880.00	1050.00	1135.00	1220.00	1305.00	1390.00	1475.00	1560.00	1730.00	1900.00	2070.00	2225.00	2750.00
9	$ 582.50	837.00	965.00	1135.00	1220.00	1305.00	1390.00	1475.00	1560.00	1730.00	1900.00	2070.00	2325.00	2750.00	3175.00
10	$ 625.00	880.00	1050.00	1220.00	1305.00	1390.00	1475.00	1560.00	1730.00	1900.00	2070.00	2325.00	2750.00	3175.00	3600.00
11+	$ 710.00	965.00	1135.00	1305.00	1390.00	1475.00	1560.00	1730.00	1900.00	2070.00	2325.00	2750.00	3175.00	3600.00	4025.00

5275P

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 8, 1995	$	May 15, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Hsieh, Kaufman
Kennedy Migden Shelley Teng	$	Migden Shelley Teng
	$	
Absent: Supervisor Leal	$	Absent: Supervisors Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
118-94-3

MAY 26 1995
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 97-95-22 ORDINANCE NO. 169-95

[FEES]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 8.14 THEREOF, AUTHORIZING THE MEDICAL EXAMINER-CORONER TO CHARGE FEES FOR CERTAIN SERVICES.

NOTE: Additions or substitutions are underscored; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 8.14 thereof, to read as follows:

Section 8.14 Medical Examiner-Coroner's Fees for copies of documents and certain services.

The Medical Examiner-Coroner is hereby authorized to charge fees to defray the cost of the issuance of the following mentioned documents and the providing of the following services. Any persons requesting or requiring such documents or services shall pay the following fees:

Proof of death for insurance purposes	$ 5.00
Statement of attending physician at death	5.00
Certified copy of verdict of inquest	5.00
Certified copy of necropsy report	7.50
Certified copy of pathological report	7.50
Certified copy of toxicological report	7.50
Certified copy of Coroner's register page	7.50
((Search of records	7.50))
Disaster bags for decomposed accident or infectious disease cases	15.00

Forensic autopsy performed on non-medical examiner-coroner's cases or outside county	1,200.00
X-rays	50.00/ea.
Copies of X-rays	10.00/ea.
Re-cut microscopic slides	10.00/ea.
Outside use of facilities for identification of remains	30.00
Storage of remains for funeral directors for other than medical examiner-coroner's cases, per day	25.00
Storage of remains following completion of investigation and notification of family or funeral director of completed investigation, Medical Examiner-Coroner's cases, per day	25.00
Removal and storage of remains from rest homes or other agencies that have no facilities for cold storage	100.00
Removal and storage of body at Medical Examiner-Coroner's Office (Gov. Code § 27472)	100.00
Autopsy reports to hospitals and attending physicians	5.00
Certified copy of letter confirming death pending completion of autopsy	5.00
Forensic alcohol report	65.00*

* Includes court appearance if service contract; otherwise court, travel, and expert fees will be added.

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Supporting documentation for results of forensic alcohol report	6.00/pg.
Blood quantitation for drugs	250.00
Urine testing for drugs	250.00
Gastric screen	150.00
Tissue screen	175.00
Pre-trial conference at Medical Examiner-Coroner's Office	100.00/hr.
Pre-trial conference at county of request	250.00/hr.**
Deposition at Medical Examiner-Coroner's Office	150.00/hr.
Deposition outside of San Francisco County	200.00/hr.**
Court testimony, criminal case, toxicologist	200.00/hr.
Court testimony, criminal case, forensic pathologist	250.00/hr.**

Pursuant to Section 27472 of the Government Code, whenever custody of a dead body is taken by the Medical Examiner-Coroner pursuant to law, the Medical Examiner-Coroner may charge and collect from the person entitled to control of the remains, as specified in Section 7100 of the Health and Safety Code, the actual expense incurred in removing the body from the place of death and keeping the body until its release to the person responsible for its interment. The charge shall be an amount not to exceed $100, and shall not include expenses of keeping the body during the time necessary for the Medical

** Travel and accommodation charges will be the responsibility of requesting agency.

Examiner-Coroner to perform his or her duties in connection with it. The charge, if not paid, may be considered a part of the funeral expenses and paid as a preferred charge against the estate of the decedent.

All cases brought into the Medical Examiner-Coroner's Office facility shall be billed for transportation, personnel handling, and storage costs, except for the following categories of case:

1. Decedents under 14 years of age.
2. Homicides.
3. In custody or police involved cases.
4. Indigents.
5. Cases in which private charitable funds available to pay funeral costs would thereby be reduced so as to preclude payment.
6. Cases specifically exempted by the Medical Examiner-Coroner or his designee.

All fees set for toxicology testing for outside county, federal and state agencies shall be the maximum charges listed above; however, lower fees may be negotiated for service contract work.

All fees received for documents and services mentioned in this section shall be deposited with the Treasurer and shall be used to defray the costs

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incurred by the Medical Examiner-Coroner in issuing such documents or providing such services.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

0180s

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 8, 1995	May 15, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Migden Shelley Teng
Absent: Supervisor Leal	Absent: Supervisors Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Acting Clerk

File No.
97-95-22

MAY 26 1995
Date Approved

_____
Mayor

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FILE NO. 97-95-25 ORDINANCE NO. 170-95

(FAMILY VIOLENCE COUNCIL)

AMENDING CHAPTER 5 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTIONS 5.190 THROUGH 5.190-6, TO ESTABLISH THE FAMILY VIOLENCE ADVISORY COUNCIL AS AN ADVISORY BODY TO THE BOARD OF SUPERVISORS.

NOTE: All provisions are new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. FINDINGS. Board of Supervisors hereby finds and determines the following:

1. Domestic violence is a serious, widespread social problem. It is the leading cause of serious injury to women, more common than muggings, rapes and auto accidents combined. A woman is beaten every nine seconds in America. Four million American women were beaten by their husbands or boyfriends in the last year. Twenty-five percent of domestic violence victims are pregnant when beaten. Almost half of all incidents of domestic violence against women are not reported to the police.

2. In 1991-1992, sixty-four percent of all women murdered in San Francisco died as a result of family violence. Thirty-eight percent of all people murdered died in family and domestic violence related killings. Six out

of seven murder/suicide cases were due to family and domestic violence. The majority involved a husband killing his wife and then killing himself.

3. In 1994, over 8,000 San Franciscans called domestic violence crisis lines -- an increase of 51% over the same period in the previous years. This past year alone, crisis hotline and referral calls to domestic violence agencies increased 79%. The increased public awareness of domestic violence parallels the dramatic increase in demands for domestic violence services in San Francisco.

4. There are only three domestic violence shelters in San Francisco, offering a total of only 66 beds. In San Francisco, 85% of battered women and children seeking shelter are turned away for lack of space. These women and their children are forced to stay on the streets, take refuge in locations easily found by batterers, or to simply return to their abusive homes. Despite the absence of any additional local funding and in spite of threatened and actual funding cutbacks, domestic violence agencies have been serving more and more women and children, stretching public and private resources as far as possible.

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5. Legal intervention on behalf of abused wives, domestic partners and children is a recent phenomenon. Until the late nineteenth century, women and children possessed no legal status or rights under the law and lacked any real remedy against family and domestic violence. It was not until 1988 that all fifty states had enacted laws to provide civil and criminal remedies for victims of domestic and family violence.

6. The Board of Supervisors finds that the reduction of domestic and family violence is a critical societal goal. The strategy for change must be carefully planned, as an effective response cannot be accomplished piecemeal. Changing one agency or office will not result in improvement in the entire justice system. There are too many agencies, courts, persons, and too many interactions, as family violence cases are detected, investigated, prosecuted and monitored. A failure in any part of the system will limit the success of the entire system.

Therefore it is the intent of the Board of Supervisors in creating the Family Violence Advisory Council to address the problems of family violence with recommendations for a strategy that includes all parts of the justice system. The Board of

Supervisors finds and declares that the Family Violence Council is a framework in which the community and justice system could study the response by public and private agencies and recommend programs, policies and procedures for those agencies to more effectively respond to and prevent incidents of family violence.

Section 2. Chapter 5 of the San Francisco Administrative Code is hereby amended by adding Sections 5.190 through 5.190-6 to read as follows:

SEC. 5.190 ESTABLISHMENT AND PURPOSE - FAMILY VIOLENCE ADVISORY COUNCIL.

(a) Establishment. A Family Violence Council for the City and County of San Francisco (referred to hereafter in this Chapter as "Council") is hereby established as an advisory body to the Board of Supervisors. The Council shall consist of a steering committee of ten members, and an advisory committee of thirty-five (35) members. The Council may create working groups of its membership to facilitate the activities of the Council. All city departments, commissions, boards and agencies shall cooperate with the Council in conducting its business.

The composition of the Council shall broadly represent the ethnic, racial, gender, age and sexual orientation diversity of the City and County.

(b) Purpose. The Council is established to advise and submit recommendations to the Board of Supervisors that address

the problems of family violence. The Council may also advise the courts of the City and County and the Mayor by submitting recommendations to improve the response by these departments to family violence and abuse. The general purpose of the Council shall be the following:

(1) Increase the awareness and understanding of domestic and family violence and its consequences.

(2) Recommend programs, policies and coordination of City services that may reduce the incidence of domestic and family violence in San Francisco.

SEC. 5.190-1. ADVISORY COUNCIL - DUTIES.

The duties of the Council shall be the following:

(1) Recommend effective strategies through which public and private agencies that serve victims of domestic or family violence can identify the existence of domestic and/or family violence.

(2) Recommend methods of providing public education about family violence and abuse.

(3) Facilitate communication between public and private agencies that provide programs for victims of domestic and family violence and programs of family violence intervention.

(4) Recommend procedures to improve the cooperation and coordination of public and private agencies with all

participants in the justice system who deal with family and domestic violence, including procedures for reviewing fatalities resulting from family violence.

(5) Recommend a comprehensive and coordinated plan to collect data about domestic and family violence in a manner that protects the identity of victims of domestic and family violence, and that would make the data available to the courts, prosecutors, law enforcement officers, and health care practitioners.

(6) Recommend ways of responding in a coordinated manner to family and domestic violence by City departments, boards, commissions, agencies, and the courts that would improve responsiveness by the City and prevent family and domestic violence.

SEC. 5.190-2. STEERING COMMITTEE - COMPOSITION. TERMS OF OFFICE.

(a) Composition of Steering Committee. The Steering Committee shall consist of the following:

1. Presiding Judge of the Superior Court or his or her designee;

2. Presiding Judge of the Municipal Court or his or her designee;

3. Presiding Judge, Superior Court, Family Law

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Department, or his or her designee;

4. Chair of the Domestic Violence Advisory Committee;

5. President of the Board of Supervisors, or his or her designee;

6. District Attorney, or his or her designee

7. Chief of Police, or his or her designee

8. President, Commission on the Status of Women, or her or his designee

9. Chief Adult Probation Officer, or his or her designee

10. Chair of the San Francisco Domestic Violence Consortium;

(b) Steering Committee - Chair. The Presiding Judge of the Superior Court or his or her designee representing the Superior Court shall serve as chair of the Steering Committee.

(c) Meetings. The Steering Committee shall meet regularly at such times and places whenever the chair of the Committee shall determine.

(d) Rules and Regulations. The Steering Committee may adopt reasonable rules and regulations not inconsistent with the charter or this ordinance for the conduct of its affairs and for the distribution and performance of its business.

SEC. 5.190-3. STEERING COMMITTEE - DUTIES.

The Steering Committee shall serve as the policy setting body of the Council. Duties of the Steering Committee shall

include the establishment of the organization and structure of the Council, appointment of members to the Advisory Committee and assignment of the Advisory Committee's duties, creation of working groups when necessary to implement the objectives of the Council, and to oversee the the operations of the Council.

SEC. 5.190-4. ADVISORY COMMITTEE - COMPOSITION. TERMS OF OFFICE.

(a) Composition. The Advisory Committee shall consist of thirty-five (35) members who shall be appointed by and serve at the pleasure of the Steering Committee. The Steering Committee shall make one appointment from each of the below enumerated entities. Where the entity is a City officer, department, commission or agency, the Steering Committee shall make the appointment from nominees submitted by that officer, department, commission or agency.

(1) Mayor, or his or her designee;

(2) District Attorney, or his or her designee;

(3) Public Defender, or his or her designee;

(4) Police Chief, or his or her designee;

(5) Sheriff, or his or her designee;

(6) Chief Adult Probation Officer, or his or her designee;

(7) Director, Department of Social Services or his or her designee;

(8) Director, Department of Public Health or his or her designee;

(9) President, Commission on the Status of Women, or her or his designee;

(10) Superior Court;

(11) Municipal Court;

(12) Battered Women's Shelters;

(13) Treatment Programs for Batterers;

(14) Pretrial Release Services;

(15) San Francisco Women Lawyers Alliance;

(16) San Francisco Bar Association;

(17) Queen's Bench;

(18) Legal Aid of San Francisco;

(19) Social Services Agencies;

(20) Educational Institutions;

(21) Medical Institutions;

(22) African American Community;

(23) Asian Pacific Islander Community;

(24) Latino Community;

(25) Other Communities of Color;

(26) Elder Community;

(27) Gay and Lesbian Community;

(28) Immigrant Services;

(29) Minority Services;

(30) Disabled Services;

(31) Youth Services;

(32) Media;

(33) Religious Community;

(34) Business Community;

(35) Domestic Violence Survivor;

The Advisory Committee may create working groups of its membership to facilitate the activities of the Committee.

(b) Assistance of the City Attorney. The City Attorney or his or her designee may be requested to provide advice and legal counsel to the Council.

(c) Terms of Office. The term of each member of the Advisory Committee shall be two years. In the event a vacancy occurs during the term of office of any member, a successor shall be appointed to complete the unexpired term of the office vacated in a manner similar to that which governed the initial appointment of the member.

(d) Meetings. The Advisory Committee shall meet at least once a quarter at such times and places as the Chair of the Committee shall designate.

SEC. 5.190-5. ADVISORY COMMITTEE - DUTIES.

The duties of the Advisory Committee shall be as follows:

(1) Collect and compile public information regarding arrest and restraining order enforcement policies; screening and prosecution of cases; issuances of

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protective orders; identifying family violence in other legal proceedings; and monitoring offenders after judgment;

(2) Collect and analyze public information relating to programs for victims of family violence and services provided for abusers on probation;

(3) Analyze current and projected revenue and funding sources, and recommend other prospective revenue sources for response to family and domestic violence.

(4) Respond to inquiries of the Board of Supervisors made consistent with the duties imposed by this ordinance.

SEC. 5.190-6. ADVISORY COUNCIL - ORGANIZATION.

(a) Removal of Council Members. Any member of the Council who misses three regularly scheduled meetings of the Council in any 12-month period without the express approval of 51 percent of the members of the Council given at a regularly scheduled meeting shall be deemed to have resigned from the Council.

(b) Compensation. Members of the Council shall not be compensated, nor shall they be reimbursed for expenses.

(c) Annual Report. The Council shall submit an annual report of its recommendations to the Board of Supervisors and may submit recommendations to the courts and the Mayor. The first report shall be issued no later than one year following the date of the first meeting of the Council and not less often than once

yearly thereafter. The Council shall annually propose goals to be undertaken and report the accomplishment of those goals at the end of each twelve month period. Such goals shall seek to improve coordination, response, and prevention related to family and domestic violence. The Council may conclude that the work of the Council has been completed and request the Board of Supervisors to abolish the Council.

APPROVED AS TO FORM:

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 8, 1995	§	May 15, 1995
	§	
	§	
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng	§	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Migden Shelley Teng
	§	
Absent: Supervisor Leal	§	Absent: Supervisors Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Joan Lum
Acting Clerk

File No.
97-95-25

MAY 26 1995
Date Approved

Frank M. Jordan
Mayor

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cc

FILE NO. 101-94-96

ORDINANCE NO. 171-95

(Government Funding)

RO#94230
SA#117

APPROPRIATING $3,978,141 FROM THE CLEAN WATER OPERATING FUND (RATE STABILIZATION FUND) TO ALLOW THE DEPARTMENT OF PUBLIC WORKS TO MEET DEBT SERVICE REQUIREMENTS FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
35-001	**Clean Water Operating Fund**		
90-06-00	Public Works - Engineering		
GL 490 (027060)	Unappropriated Revenue	$3,978,141	
40-4000 (778480)	Debt Service		$3,978,141
	Total	$3,978,141	$3,978,141

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY Brent
DEPUTY CITY ATTORNEY
s:\excel\budget\90sa117

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY John W Madden

Board of Supervisors, San Francisco

Passed for Second Reading

May 15, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng

Absent: Supervisor Leal

Finally Passed

May 22, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Migden Shelley Teng

Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Fuson
Acting Clerk

File No. 101-94-96

JUN 2 1995
Date Approved

Frank M. Jordan
Mayor

BOARD OF SUPERVISORS

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FILE NO. 101-94-97
(Government Funding)

ORDINANCE NO. 172-95

RO#94229
SA#116

cc

APPROPRIATING $17,900 OF OTHER GOVERNMENT SERVICE CHARGES TO ALLOW THE BOARD OF SUPERVISORS TO PAY FEES AND OTHER COMPENSATION TO HEARING OFFICERS AND ASSESSMENT APPEALS BOARD MEMBERS FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
01-00-00	Board of Supervisors		
70-7099 (040014)	Other General Government Charges	17,900	
01-0400 (300012)	Fees and Other Compensation		17,900
	Total	17,900	17,900

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON

BY: _____
CONTROLLER

n:\lacal\approp\01sa\116

Supervisor Leal

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

May 15, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng

Absent: Supervisor Leal

Finally Passed

May 22, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Migden Shelley Teng

Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 101-94-97

JUN 2 1995
Date Approved

Mayor

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FILE NO. 36-95-2.1 ORDINANCE NO. 173-95

(Zoning Map Change)

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED AT THE INTERSECTION OF JAMESTOWN AVENUE AND HARNEY WAY, LOT 8, ASSESSOR'S BLOCK 4977 AND LOT 8, ASSESSOR'S BLOCK 5023, FROM AN RH-1 DISTRICT TO AN C-2 DISTRICT AND ADOPTING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to resolution of the Board of Supervisors, adopting the final negative declaration as its own, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II, of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Description of Properties	Use District to be Superseded	Use District to be Approved
BEGINNING, at the point of intersection of the southeasterly	RH-1	C-2

line of the 8 acre tract of land described in the Deed from the Bay View Land Company, a corporation, to the City and County of San Francisco, a Municipal corporation, recorded December 30, 1902, in Book 1980 of Deeds, at page 65, in the office of the Recorder of the City and County of San Francisco, State of California, with the southwesterly boundary line of the lands secondly described in the Deed from Albert Picard to City and County of San Francisco, a Municipal corporation, dated May 27, 1958, and recorded June 9, 1958, in 7306 O.R. 448, in the office of said Recorder; running thence southeasterly at a right angle to said southeasterly tract line along aforesaid southwesterly boundary line 235.580 feet to the ordinary high tide line of the Bay of San Francisco, as shown on the map of State Tide Lands (in the City and County of San Francisco) made by Geo F. Allardt for the Board of Tide Land Commissioners of the State of California, filed in the office of the Surveyor General of the State of California; thence southwesterly along said line of ordinary high tide to the northeasterly line of the lands, now or formerly owned by the Crocker Estate Company, a corporation; thence northwesterly along last said northeasterly line to the southeasterly line of aforesaid 8 acre tract of land; thence northeasterly along last said southeasterly line 200 feet to the point of beginning.

EXCEPTION THEREFROM all that portion thereof described in Parcel One of the deed from Chas. L. Harney, Inc., a corporation,

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to the City and County of San Francisco, a municipal corporation, dated May 26, 1964, recorded June 17, 1964, in Book A-776, of Official Records, at page 422, in the office of the Recorder of the City and County of San Francisco, State of California, being more particularly described as follows:

BEGINNING, at a point on the southeasterly boundary line of land now known as Bay View Park, as described in Deed to the City and County of San Francisco recorded December 30, 1902, in Book 1980 of Deeds at pages 65 to 69 inclusive, in the office of the Recorder of the City and County of San Francisco, State of California, distant thereon 99.959 feet northeasterly from the southwesterly boundary line of said lands now known as Bay View Park; and thence running northeasterly along said southeasterly boundary line 100 feet; thence at a right angle southeasterly 234.757 feet to the shore line of San Francisco Bay at ordinary high water mark as defined by the Board of Tideland Commissioners of the State of California under Act of Mark 30, 1868; thence deflecting 101° 57' 00" to the right from the preceding course and running southwesterly along said shore line 41.456 feet; thence deflecting 16° 41' 00" to the left from the preceding course and continuing southwesterly along said shore line 59.645 feet to a line parallel with and perpendicularly distant southwesterly 100 feet from the second course of this description; thence deflecting 94° 44' 00" to the right from the preceding course and running

northwesterly along said parallel line 231.095 feet to the point of beginning.

Description of Properties	Use District to be Superseded	Use District to be Approved
BEGINNING, at the point on intersectionof the northeasterly line of Nelson avenue with the northerly line of Harney Way, as said Harney Way is shown on "Map Showing the Opening of Harney Way from Jamestown Avenue to County Line," recorded January 28, 1965 in Book "U" of Maps, at pages 64 and 65, in the office of the Recorder of the City and County of San Francisco, State of California; thence easterly along said line of Harney Way 76.219 feet to the southwesterly line of Jamestown Avenue, as said line of Jamestown Avenue is shown on "Map showing the Widening and Extension of Jamestown Avenue from Hunters Point Expressway to Redondo Street," recorded January 28, 1965 in Book "U" of Maps, at pages 60 to 63 inclusive, in the office of the Recorder of the City and County of San Francisco, State of California; thence northwesterly and along said line of Jamestown Avenue 78.912 feet to the shore line of the San Francisco Bay at ordinary high water mark, as shown on Map No. 4 of Tide Lands, made by Geo. F. Allardt for the Board of Tide Land Commissioners of the State of California and filed in the office of the Surveyor General of the State of California, thence along said shore line the following courses and distances; south 42° 09' west	RH-1	C-2

15.955 feet; thence south 47° 58' west 63.542 feet to the northeasterly line of Nelson Avenue; thence southeasterly and along said line of Nelson Avenue 53 feet, more or less, to the point of beginning.

BEING a portion of Block 615, as per "Map of the Salt Marsh and Tide Lands lying under water south of Second Street," on file in the office of the Surveyor General of the Sate of California.

Excepting therefrom all that portion thereof described in deed from Pauline E. Harney, and the Harney Foundation, a Cal. Corp, to the CCSF, a municipal corp, dated 11-8-73, recorded 11-13-73 in B825 or 819 in the office of the Recorder of CCSF, State of Cal, being more particularly described as follows:

BEGINNING at the point of intersection of the northerly line of Harney Way and the southwesterly line of Jamestown Avenue as said lines of said Way and said Avenue are shown on that certain map entitled "Map Showing the Opening of Harney Way from Jamestown Avenue to County Line" recorded January 28, 1955 in Book "U" of Maps, at pages 64 and 65, in the office of the Recorder of the City and County of San Francisco; thence northwesterly along said southwesterly line of Jamestown Avenue, a distance of 21.607 feet; thence southwesterly along a line parallel to the aforementioned northerly line of Harney Way, a distance of 81.408 feet to the

northeasterly line of Nelson Avenue; thence southeasterly along said northeasterly line of Nelson Avenue, a distance of 24.055 feet to the northerly line of Harney Way; thence easterly along said northerly line of Harney Way, a distance of 76.219 feet to the point of beginning.

Section 2. Pursuant to Planning Code Section 101.1, this Board of Supervisors adopts City Planning Commission Resolution No. 13822 approving findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:	RECOMMENDED:
LOUISE RENNE, CITY ATTORNEY	CITY PLANNING COMMISSION
Judith A. Boyajian	
Deputy City Attorney	Lucian Blazej Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 15, 1995	$	May 22, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Kaufman Migden
Kennedy Migden Shelley Teng	$	Shelley Teng
	$	
Absent: Supervisor Leal	$	Absent: Supervisors Hsieh Kennedy
	$	Leal

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Acting Clerk

File No.
36-95-2.1

JUN 2 1995
Date Approved

Mayor

FILE NO. 45-95-15

ORDINANCE NO. 174-95

RO #94227

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ALEXANDER WOODRUFF, JR. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR ~~$399,267.00~~ $405,224.00.

gj 5/9

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "ALEXANDER WOODRUFF, JR. vs. THE CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 932-772, for ~~$399,267.00~~ $405,224.00 TO BE PAID AS FOLLOWS:

gj 5/9

1. AN INITIAL PAYMENT OF $204,000.00 INTO A SPECIAL NEEDS TRUST CREATED FOR THE BENEFIT OF THE PLAINTIFF; AND

gj 5/9

2. THE PURCHASE OF AN ANNUITY FOR SAID TRUST FOR THE AMOUNT OF ~~$195,267.00~~ $201,224.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

PUBLIC HEALTH DEPARTMENT

SANDRA HERNANDEZ, M.D., Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 87
309666 1450 $399,267.00

APPROVED:

PUBLIC HEALTH COMMISSION:

SECRETARY

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 15, 1995	May 22, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Migden Shelley Teng
Absent: Supervisor Leal	Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-95-15

JUN 2 1995
Date Approved

Mayor

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JUN 27 1995
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FILE NO. 65-95-3 ORDINANCE NO. 175-95

(LEASE MODIFICATION)

APPROVING SECOND AMENDMENT TO OPTION TO LEASE REAL PROPERTY AND FIRST AMENDMENT TO LEASES BETWEEN THE PORT OF SAN FRANCISCO AND THE SAN FRANCISCO REDEVELOPMENT AGENCY FOR PROPERTIES IN THE SOUTH BEACH REDEVELOPMENT AREA

Be it ordained by the People of the City and County of San Francisco:

Section 1

The Board of Supervisors finds that:

A. Section 3.581(g) of the City Charter authorizes the Port Commission to enter into leases and franchises for the operation of property within the jurisdiction of the Port Commission; and

B. Section 7.402-1 of the City Charter authorizes the Board of Supervisors to review and approve by ordinance, the leases or the modification, amendment or termination of any leases of real property entered into by a department, board or commission for a period of time in excess of ten (10) years or having anticipated revenue to the City and County of San Francisco of one million dollars or more; and

C. On September 26, 1984, the San Francisco Redevelopment Agency ("the Agency") and the San Francisco Port Commission entered into an Option agreement allowing the Agency until September 1995 to enter into leases of all or parts of ten defined parcels around South Beach Harbor in the Rincon Point South Beach Redevelopment Area. The Agency exercised its option to lease property in certain Leases numbered L-10892, L-11183, L-11595, L-11694 and L-12079 executed pursuant to the Option (collectively, "the Leases"); and

D. On December 19, 1994, the Port Commission approved a Settlement Agreement between the Port and the San Francisco Redevelopment Agency (the "Agency") to: (1) delete all references to the parties' obligations in regard to reimbursement for the cost of relocation and replacement of the Pier 40 ship repair facility and; (2) to change the base date for adjustment of minimum rents pursuant to the CPI.

E. On February 28, 1995, the Port Commission approved by resolution the Second Amendment to the Option Agreement and First Amendment to leases with the Redevelopment Agency executed pursuant to the Option Agreement. A copy of Resolution No. 95-14 is hereto attached.

Section 2

NOW THEREFORE BE IT ORDAINED, That the Board of Supervisors hereby approves the Second Amendment to the Option to Lease Real Property between the Port of San Francisco and the San Francisco Redevelopment Agency for properties in the South Beach Redevelopment Area; and be it

FURTHER ORDAINED, That the Board of Supervisors authorizes the Executive Director of the Port to execute appropriate amendments to Leases numbered L-10892, L-11183, L-11595, L-11694 and L-10279 to conform the language of Section 1(k)(ii) of said Leases to the language regarding minimum rent adjustment set forth in Paragraph 2(b) of the Amendment.

APPROVED AS TO FORM
Louise Renne
City Attorney

Neil Sekhri

by: Neil Sekhri
Deputy City Attorney

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 15, 1995	$	May 22, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Migden Shelley Teng	$	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Migden Shelley Teng
	$	
Absent: Supervisors Kennedy Leal	$	Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
65-95-3

JUN 2 1995

Date Approved

Mayor

FILE NO. 97-95-23 ORDINANCE NO. 176-95

(Corrected Copy)

[Disposition of Indigent Dead]

AMENDING PART II, CHAPTER V OF THE SAN FRANCISCO MUNICIPAL CODE (HEALTH CODE), BY REPEALING SECTION 210, AND AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 6.62 TO AUTHORIZE THE MEDICAL EXAMINER TO DISPOSE OF THE INDIGENT DEAD BY BURIAL OR CREMATION.

Note: The entire section is new.

Be it ordained by the People of the City and County of San Francisco:

SEC. 1. Part II, Chapter V of the San Francisco Municipal Code (Health Code) is hereby amended by repealing section 210.

SEC. 2. The San Francisco Administrative Code is hereby amended by adding Section 6.62 thereto, to read as follows:

SEC. 6.62. DISPOSITION OF INDIGENT DEAD. The Medical Examiner is hereby authorized and directed to provide for either interment or cremation of bodies of persons who have died in indigent circumstances, by contracting for the service or by employment of persons for such purpose.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: ANDREW M. OLSHIN
Deputy City Attorney

3055H

BOARD OF SUPERVISORS

Page 1 of 1
4/11/95

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 15, 1995	May 22, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Migden Shelley Teng
Absent: Supervisor Leal	Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 97-95-23

JUN 2 1995
Date Approved

Mayor

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FILE NO. 97-95-27 ORDINANCE NO. 177-95

(ENVIRONMENTAL REVIEW FEES)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING CHAPTER 31, SECTION 31.46A, TO INSTITUTE NEW FEES, INCREASE FEES, MODIFY FEES AND EXTEND THE PERIOD CERTAIN FEES ARE CHARGED FOR ENVIRONMENTAL REVIEW PROCEDURES.

NOTES: Additions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 31 of the San Francisco Administrative Code is hereby amended by amending Section 31.46A thereof to read as follows:

Sec. 31.46A. **BASIC FEES**

(a) The following basic fees shall be charged by the Department of City Planning, as specified in Section 31.45 above:

(1) For an initial evaluation of a project (Section 31.23) excluding use of special expertise or technical assistance, as described in Section 31.47 below, the <u>initial</u> fee shall be:

- where the total estimated construction cost as defined by the San Francisco Building Code is less than $10,000 ..... $950;
- where said total estimated construction cost is $10,000 or more, but less than $200,000 ..... $950 PLUS .41% of the cost over $10,000;

- where said total estimated construction cost is $200,000 or more, but less than $1,000,000 ..... $1,730 PLUS .31% of the cost over $200,000;
- where said total estimated construction cost is $1,000,000 or more, but less than $10,000,000 ....$4,248 PLUS .26% of the cost over $1,000,000;
- where said total estimated construction cost is $10,000,000 or more, but less than $30,000,000 ..... $27,647 PLUS .08% of the cost over $10,000,000;
- where said total estimated construction cost is $30,000,000 or more, but less than $50,000,000 ..... $44,067 PLUS .03% of the cost over $30,000,000;
- where said total estimated construction cost is $50,000,000 or more, but less than $100,000,000 ..... $49,540 PLUS .007% of the cost over $50,000,000;
- where said total estimated construction cost is $100,000,000 or more ..... $53,189 PLUS .003% of the cost over $100,000,000.
- where there is no construction cost ..... $950 plus time and materials <u>to cover costs</u> in excess of ((that)) <u>the initial fees described above, total charge not to exceed two times the initial</u>

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fee, without providing an estimate of cost.

An applicant proposing significant revisions to a project for which an application is on file with the Department of City Planning shall be charged time and materials to cover costs in excess of the fee paid, total charge not to exceed three times the initial fee, without providing an estimate of cost.

(2) For preparation of an environmental impact report (Sections 31.26 - 31.28) excluding use of special expertise or technical assistance, as described in Section 31.47 below, the initial fee shall be:

- where the total estimated construction cost as defined in the San Francisco building Code is less than $200,000 ..... $16,000.
- where said total estimated construction cost is $200,000 or more, but less than $1,000,000 ..... $16,000 PLUS .4% of the cost over $200,000
- where said total estimated construction cost is $1,000,000 or more, but less than $10,000,000 ..... $19,187 PLUS .27% OF THE COST OVER $1,000,000
- where said total estimate construction cost is $10,000,000 or more, but less than $30,000,000 ..... $43,514 PLUS .11% of the cost over $10,000,000

- where said total estimated construction cost is $30,000,000 or more, but less than $50,000,000 ..... $64,854 PLUS .03% of the cost over $30,000,000
- where said total construction cost is $50,000,000 or more, but less than $100,000,000 ..... $70,328 PLUS .03% of the cost over $50,000,000
- where said total estimate construction cost is $100,000,000 or more $84,554 PLUS .01% of the cost over $100,000,000

Applicants will be billed for time and materials to cover ((any)) costs incurred in excess of the fee specified((.)), total charge not to exceed two times the initial fee, without providing an estimate of cost.

An applicant proposing significant revisions to a project for which an application is on file with the Department of City Planning shall be charged time and materials to cover costs in excess of the fee paid, total charge not to exceed three times the initial fee, without providing an estimate of cost.

(3) For an appeal to the City Planning Commission [Sections 31.14(b), 31.24(d), 31.25(b)]: the fee shall be $200 to the appellant, and an additional fee shall be paid by the project sponsor based on the time and materials the

Department expends in responding to the appeal; provided, however, that this additional fee shall not exceed three times the cost of the initial evaluation as set forth in paragraph 1 above.

(4) For a copy of an environmental impact report or other document, where this Chapter does not require the sending of that document to the person requesting it: the actual cost to the Department of City Planning of reproducing that copy.

(5) For preparation of an addendum to an environmental impact report that has previously been certified, pursuant to Section 15164 of the State CEQA Guidelines: one third of the initial fee that would be required for a full environmental impact report on ((the same project, as set forth in paragraph 2 above,)) a project with a construction cost of less than $200,000, plus time and materials ((for)) to cover costs in excess of ((that amount)) the initial fee, total charge not to exceed two times the initial fee, without providing an estimate of cost.

(6) For preparation of a supplement to a draft or certified final environmental impact report: one half of the fee that would be required for a full environmental impact report on the same project, as set forth in paragraph 2 above, plus time and materials for costs incurred in excess of that amount((.)), total charge not to exceed two times the initial fee, without providing an estimate of cost.

(7) For preparation of a subsequent environmental impact report: two thirds of the fee that would be required for a full environmental impact report on the same project, as set forth in paragraph 2 above plus time and materials for any costs in excess of that amount((.)), total charge not to exceed two times the initial fee, without providing an estimate of cost.

(8) For reevaluation of a modified project for which a negative declaration has been prepared, pursuant to Section 31.35 (a) and (c), the same fee as for an initial evaluation for projects with no construction cost, $950 plus time and materials for ((any)) costs incurred in excess of that amount, when the reevaluation results in a determination that no new environmental document must be prepared. Total charge not to exceed two times the initial fee, without providing an estimate of cost.

(9) For preparation of a Certificate of Exemption from Environmental Review determining that a project is Categorically Exempt, Statutorily Exempt, Ministerial/Non-Physical, an Emergency, or a Planning and Feasibility Study,: $150. The fee set forth above shall be increased to cover ((any)) costs incurred in excess of the amount specified, based on time and materials expended. Total charge not to exceed three times the initial fee.

(10) For preparation of a Letter of Exemption From Environmental Review: $75.

(11) For any project which has the potential to create

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shadow impact on property protected under City Planning Code Section 295(a), and is subject to computer analysis: a minimum fee of $5,000, and an additional fee to cover the cost of ((any)) time and materials which the Department has expended in excess of $5,000. Total charge not to exceed two times the initial fee, without providing an estimate of cost.

(12) For monitoring environmental mitigation measures which are imposed as conditions of approvals: cost of time and materials. Total charge not to exceed $1,000, without providing an estimate of cost.

(b) Payment. The fee specified in Subsection (a) (1) shall be paid to the Department of City Planning at the time of the filing of the environmental evaluation application, and where an environmental impact report is determined to be required, the fee specified in Subsection (a) (2) shall be paid at the time the preliminary draft environmental impact report I (PDEIR I) is prepared, except as specified below. Any fraternal, charitable, benevolent or any other non-profit organization, which organization is exempt from taxation under the Internal Revenue laws of the United States and the Revenue and Taxation Code of the Sate of California as a bona fide fraternal, charitable, benevolent or other non-profit organization, may defer payment of the fees specified in Subsections (a) (1) and (a) (2) to (1) the time of issuance of the building permit, before the building permit is released to the applicant; or (2) within one year of

the date of completion of the environmental review document, whichever is sooner, provided that the application is for the development of residential units all of which units are affordable to low and moderate households, as defined in the Guidelines of the United States Housing and Urban Development Department, for a period of 20 years, which exemption shall apply notwithstanding the inclusion in the development of other non-profit ancillary or accessory uses.

An exemption from paying the full fees specified under Section 31.46A(a)3 may be granted when the appellant's income is not enough to pay the fee without affecting their abilities to pay for the necessities of life, provided that the person seeking the exemption demonstrates to the Zoning Administrator that they are substantially affected by the proposed project.

(c) Refunds. When a request for an initial evaluation or for preparation of an environmental impact report is (1) either withdrawn by the applicant or deemed canceled by the Department of City Planning due to inactivity on the part of the applicant, and (2) the Environmental Review Officer determines that no substantial costs have been incurred by the Department in acting on the request (for example, no activity has occurred beyond initial scoping meetings) then the applicant shall be entitled to a refund of 75% of the fees paid to the Department.

(d) Late Charges and Collection of Overdue Accounts - A surcharge of one percent per month shall be added to the fee

amount owing the Department for fee accounts in arrears more than 30 days. The Zoning Administrator may call upon other City agencies or duly licensed collection agencies for assistance in collecting delinquent accounts more than six months in arrears, in which case any additional costs of collection may be added to the fee amount outstanding. If the Department seeks the assistance of a duly licensed collection agency, the approval procedures of Administrative Code Article 5, Section 10.39-1 et. seq. will be applicable.

(((d))) (e) Temporary Surcharges On Environmental Review Fees.

(1) For each basic fee listed in Section 31.46A subsections (a)(1), (7), (8) and (12) above, ((a ten)) an 8.5 percent surcharge shall be added to the filing fee to enable the Department of City Planning to recover the initial costs incurred by the Department in developing and implementing the hardware and software systems required to computerize activities associated with the Department's processing of permit applications ((and for required operations and maintenance of Department space at 1660 Mission Street)). This surcharge shall remain in effect until June 30, ((1995)) 1996.

(((e) Fee for Zoning and Public Information, and Construction Services Related to Development Projects and Permit Processing. For the basic fee in Section 31.46A Subsection (a)(1) above, the Department of City Planning shall charge and

collect at the time of filing of the application an additional fee of $125 in order to compensate the Department of City Planning for zoning and public information, and construction services, related to development projects and permit processing.))

(f) Period Section is Operative. This Section is effective July 1, 1991 and operative through December 31, 1995. This Section is repealed as of January 1, 1996, unless a later enacted ordinance extends the operative period.

(g) These amendments to fees related to the Department of City Planning are intended to provide revenues for the increased staffing and other support necessary to provide more timely processing of applications within that Department.

The City Planning Commission shall conduct public hearings at the end of Fiscal Year 1992-1993, Fiscal Year 1993-94, and Fiscal Year 1994-95 to review the level of service provided by the Department of City Planning in providing improved application processing as contemplated under this ordinance. The Commission shall determine at its public hearing at the end of Fiscal Year 1994-95 whether to initiate an ordinance to extend or to otherwise modify those amendments to fees related to the Department of City Planning that are contained within this ordinance. The Commission shall provide a report and appropriate recommendations to the Board of Supervisors within one month of the close of its public hearing.

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APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By _____
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 15, 1995	May 22, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Migden Shelley Teng
Absent: Supervisor Leal	Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
97-95-27

JUN 2 1995
Date Approved

Mayor

FILE NO. 103-95-2 ORDINANCE NO. 178-95

ADJUSTING AND FIXING SCHEDULES OF COMPENSATION EFFECTIVE JULY 1, 1995, TO BE PAID UNDER THE PROVISIONS OF CHARTER SECTION 8.403 TO EMPLOYEES OCCUPYING CLASSIFICATIONS: 2320 REGISTERED NURSE, 2323 CLINICAL NURSE SPECIALIST, 2330 ANESTHETIST, 2340 OPERATING ROOM NURSE, 2830 PUBLIC HEALTH NURSE, 2328 NURSE PRACTITIONER, P103 SPECIAL NURSE, CONTINUING BY REFERENCE THE INCORPORATION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND SEIU LOCAL 790 (STAFF NURSES) WHICH ESTABLISHED CONDITIONS AND BENEFITS OF EMPLOYMENT OTHER THAN WAGES FOR SAID CLASSIFICATIONS:

Be it ordained by the People of the City and County of San Francisco:

SECTION 1. This ordinance incorporates by reference all of the Memorandum of Understanding entered into between the City and County of San Francisco and SEIU Local 790 (staff nurses) for fiscal year 1995-96. The provisions of this ordinance shall remain in effect after the end of fiscal year 1995-96 until the passage of an ordinance establishing different provisions.

SECTION 2. The wage schedules for Classes 2320 REGISTERED NURSE, 2323 CLINICAL NURSE SPECIALIST, 2330 ANESTHETIST, 2340 OPERATING ROOM NURSE, 2830 PUBLIC HEALTH NURSE, 2328 NURSE PRACTITIONER, P103 SPECIAL NURSE, shall be in conformity with the Memorandum of Understanding for said classes between the City and County of San Francisco and SEIU Local 790. Said rates shall be as indicated on the attached sheet, effective July 1, 1995.

APPROVED AS TO CLASSIFICATION
CIVIL SERVICE COMMISSION

DIRECTOR OF HUMAN RESOURCES

APPROVED AS TO FORM
LOUISE RENNE, CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 15, 1995	May 22, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Migden Shelley Teng
Absent: Supervisor Leal	Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 103-95-2

JUN 2 1995
Date Approved

Mayor

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SETTING SCHEDULES OF COMPENSATION AND OTHER ECONOMIC BENEFITS FOR CERTAIN CLASSIFICATIONS OF PERSONS EMPLOYED BY THE MUNICIPAL COURT FOR THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

I. This ordinance, which has been approved by a majority of the judges of the Municipal Court pursuant to Government Code section 74504.5(b), establishes the rates of compensation and additional benefits for certain classifications of Municipal Court employees. The classifications covered by this ordinance are enumerated in Appendix 1 attached hereto.

II. The schedule of compensation and the additional benefits authorized herein shall be effective January 1, 1995 unless otherwise specified in this ordinance.

III. For purposes of this ordinance, the term "covered employees" shall mean those classifications of employees enumerated in Appendix 1. The term "Court" shall mean the Municipal Court for the City and County of San Francisco.

IV. Compensation and Additional Economic Benefits for Covered Employees

1. PAYROLL PROCEDURES

A. Overtime and Holiday Pay

All holiday and overtime paychecks shall be distributed as part of the regular pay warrants for the period in which the overtime was earned.

B. Recovery of Overpayment.

The schedule of recovery of any overpayment shall be made by mutual agreement between the City and the employee. In the absence of a mutual agreement, the City will recover no more than 20% of the total amount in any

one biweekly paycheck.

2. STATE UNEMPLOYMENT AND DISABILITY INSURANCE

A. Upon a vote by one-half or more of the members of a covered classification that the members desire to be enrolled in the State Disability Insurance Program, the Board of Supervisors shall immediately take any and all necessary action to enroll such all employees therein. The members of the classification shall certify to the Employee Relations Director that they desire to be enrolled for SDI no later than forty-five (45) days prior to SDI's quarterly enrollment dates and the Board shall take necessary action to enroll such employees in time for the next SDI enrollment date.

B. An employee entitled to SDI shall receive in addition thereto such portion of his/her accumulated sick leave with pay as will equal, but not exceed, the regular biweekly "take home" earnings of the employee, excluding optional deductions. Such supplementary payments shall continue for the duration of the employee's illness or disability or until sick leave with pay credited to the employee is exhausted, whichever occurs first.

At an employee's option, an employee's accrued vacation, holiday, and compensatory time off can also be integrated with SDI payments in the same manner as sick leave.

3. REIMBURSEMENT OF WORK-RELATED EXPENSES

A. Mileage.

1. The Clerk-Administrator may request employees to use their own vehicle for Court business. Employees using their own vehicle for Court business shall be reimbursed for expenses incurred at the rate of twenty-five cents ($.25) per mile and for all necessary parking and toll expenses.

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2. The above mileage rate shall be increased each calendar quarter by one cent per mile for each ten cents increase in the average cost of gasoline and defined for "gasoline all types" per gallon in the Energy Report published by the Bureau of Labor Statistics, U.S. Department of Labor. The base period against which increases shall be measured shall be the average price per gallon established for July 1, 1982. Said rate shall be fixed by the Controller within two weeks of his receipt of the above report.

B. Damaged or Stolen Property.

Reimbursement for property damaged, destroyed or stolen in the line of duty shall be administered in accordance with guidelines established by the Controller.

An employee who qualifies for reimbursement of such damaged, destroyed or stolen property shall submit a claim to his/her department head with all available documentation not later than thirty (30) calendar days after the date of such alleged occurrence. An employee shall be entitled to the appropriate reimbursement no later than one hundred-twenty (120) days following the submission of such claim. Reimbursement may be delayed if the employee does not submit the appropriate documentation.

C. Meals.

Covered employees shall, subject to the procedures established by the Controller, be reimbursed for the reasonable and actual costs of meals upon presentation of receipts in the following circumstances:

1. When an employee is required by the Court to attend a meeting at which a meal is served and such meal is billed to the employee;

2. When an employee is travelling overnight out of the City on

Court business.

4. WORK SCHEDULES

A. Part-time Work Schedules.

A part-time work schedule is a tour of duty less than forty (40) hours per week.

Salaries for part-time services shall be calculated upon the compensation for normal work schedules proportionate to the hours actually worked.

B. Overtime for Non-"Z" Employees.

Overtime shall be paid in accordance with the Fair Labor Standards Act. Non "Z" designated employees who work or, who are suffered to work overtime shall be paid in salary unless the individual employee requests compensatory time off in lieu of paid overtime. Compensatory time shall be earned at the rate of time and one-half (1-1/2).

5. HOLIDAYS

A. Floating Holidays.

In addition to those days designated as Court holidays, employees shall receive two (2) additional holidays to be taken on days selected by the employee subject to the approval and sole discretion of the Court. Employees must complete six (6) months continuous service before receiving the additional days, except when a particular day has been determined to be a floating holiday for all of the employees in the Court; provided that all part-time employees who are not regularly scheduled, but are employed on an as needed, irregular intermittent or other irregular basis are ineligible for the additional days.

B. Holiday Compensation for Time Worked.

Employees required by their respective appointing officers to work on any of the above-specified or substitute holidays, excepting Fridays observed as holidays in lieu of holidays falling on Saturday, shall be paid extra compensation at the rate of time and one-half (1-1/2) the usual rate of pay for all regularly scheduled hours worked; provided, however, that at an employee's request and with the approval of the appointing officer, an employee may be granted compensatory time off in lieu of paid overtime at the rate of time and one-half (1 1/2).

Ten (10) and twelve (12) hour employees shall receive full holiday compensation for the regularly scheduled shift worked on a holiday.

No designated "Z" employee shall receive overtime pay for working on a holiday. All such overtime shall be compensated in the form of compensatory time accrued.

C. Holiday Pay for Employees Laid Off.

An employee who is laid off at the close of business the day before a holiday who has worked not less than five (5) previous consecutive workdays shall be paid for the holiday.

D. Employees Not Eligible for Holiday Compensation.

Persons employed for holiday work only, or persons employed on a part-time work schedule which is less than twenty (20) hours in a biweekly pay period, or persons employed on an intermittent part-time work schedule (not regularly scheduled), or persons on leave without pay status both immediately preceding and immediately following the legal holiday shall not receive holiday pay.

E. Part-time Employees Eligible for Holidays.

Part-time employees who regularly work a minimum of twenty (20) hours in a biweekly pay period shall be entitled to holidays on a proportionate basis.

Regular full-time employees are entitled to 8/80 or 1/10 time off when a holiday falls in a biweekly pay period, therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1/10 of the total hours regularly worked in a biweekly pay period. Holiday time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the biweekly pay period immediately preceding the pay period in which the holiday falls. The computation of holiday time off shall be rounded to the nearest hour.

The proportionate amount of holiday time off shall be taken in the same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employee and the appointing officer.

6. LAY OFF ADJUSTMENT

An employee who is (1) "laid off," (2) is immediately and continuously employed in another classification with the Court, and (3) is thereafter reemployed in his/her original position without a break in service, shall, for the purposes of determining salary increments, receive credit for time served while laid off from his/her original appointment.

7. GENERAL WAGE INCREASE

All employees covered by this ordinance shall receive a 1.0% wage increase effective January 1, 1995 in accordance with the salary schedule attached as Appendix 1. The effective date shall be the beginning of the pay period

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closest to January 1, 1995.

8. HEALTH PLAN

Health and Dental Benefits

A. Maintenance of Benefits: The current benefits level shall be maintained for the duration of FY 1994-95.

B. City Contribution: The City shall contribute and continue to contribute a monthly amount towards Court employee health benefits for each covered employee in accordance with Charter Section 8.423, which provides for an annual benefits survey of the ten most populous counties (example: FY 1993-94 City contributory amount of $172.85 per employee).

C. Dependent Care Health Benefits: Effective the first pay period beginning after November 1, 1994, and continuing for the remainder of FY 1994-95, the City shall pay $75 per month toward dependent health care benefits for covered employees.

D. Dental Benefits.

The City shall continue to contribute a monthly amount per covered employee sufficient to continue the family dental coverage provided in FY 1993-94.

9. FINGERPRINTING

The City shall bear the full cost of fingerprinting whenever such is required of the employee.

10. RETIREMENT PICKUP

Effective July 1, 1994, The City shall pickup one and one-half percent (1.5%) of the employee's contribution costs to the San Francisco Employee Retirement System or the Public Employees Retirement System (PERS), whichever

is applicable.

Effective February 25, 1995, the City shall pickup an additional one and one-half percent (1.5%) of the employee's contribution costs to the San Francisco Employee Retirement System or the Public Employees Retirement System (PERS), whichever is applicable.

The City shall not treat these contributions as compensation subject to income tax withholding.

11. RETROACTIVE APPLICATION

Although the City and County has incurred no legal obligation under the Charter, the Board of Supervisors does hereby ratify the action previously taken.

CERTIFICATION: The following hereby certify that a majority of the body over which they each preside has approved the terms of the above ordinance.

Diane Elan Wick, Presiding Judge
Municipal Court, San Francisco

Kevin F. Shelley, President
Board of Supervisors of the
City and County of San Francisco

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 15, 1995	$	May 22, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	$	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Migden Shelley Teng
	$	
Absent: Supervisor Leal Teng	$	Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
106-95-5

JUN 2 1995
Date Approved

Mayor

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FILE NO. 115-95-2 AS AMENDED IN COMMITTEE 5/10/95 AS AMENDED IN BOARD 5/15/95 ORDINANCE NO. 180-95

(PLANNING FEES AND INITIATION OF AMENDMENTS)

AMENDING ARTICLE 2, ARTICLE 3 AND ARTICLE 3.5A OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTIONS 228.4, 302, 350-353 AND 355, 357 and 358 TO AUTHORIZE CITIZENS TO REQUEST AMENDMENTS TO THE CITY PLANNING CODE, TO IMPOSE NEW FEES, CHANGE THE AMOUNT OF FEES CURRENTLY CHARGED RELATING TO DEPARTMENT OF CITY PLANNING ACTIONS, ACTIVITIES AND SERVICES

NOTE: Additions are <u>underlined</u>; deletions are in

((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1, Part II, Chapter 2, Article 2, Section 228.4 of the San Francisco Municipal Code is hereby amended to read as follows:

Sec. 228.4. CRITERIA FOR ZONING ADMINISTRATOR CONVERSION DETERMINATION. (a) The Zoning Administrator shall approve the application and authorize the service station conversion if the Zoning Administrator determines from the facts presented that the owner of the subject property is not earning a fair return on investment. The owner shall bear the burden of proving that the

owner is not earning a fair return on investment. A property owner's application under this Section shall be signed by the owner or an authorized representative of the owner and, under penalty of perjury, declared to contain true and correct information. The application shall be accompanied by:

(1) An independent appraisal of the property stating its value.

(2) A written statement from an independent Certified Public Accountant summarizing the applicant's financial records, including the property appraisal and stating the return on investment calculated pursuant to this ordinance.

(3) A certified statement from the Certified Public Accountant identifying the owner of the property and the owner of the service station business.

(4) Such other financial information as the Zoning Administrator may reasonably determine is necessary to make the determination provided for in this Section.

(b) There shall be a rebuttable presumption that the property owner is earning a fair return on investment if the property owner has earned at least a nine percent return on the property owner's total investment in the property for the 24-month period immediately preceding the filing of the application, or in the case of a service station business that ceased operations after October 12, 1989, for the 24-month period immediately preceding the date the service station ceased

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operations. The property owner may rebut this presumption by offering evidence demonstrating that because of special facts regarding his or her property the property owner is not earning a fair return on investment or that because of special demonstrated circumstances the applicant would not earn a fair return on investment from service station use during that 12-month period after the filing of the service station conversion application.

(c) Prior to conducting such a hearing, the Zoning Administrator shall provide public notice of the hearing prior to the date of the hearing. Such notice shall include written notice to each property owner within 300 feet in every direction from the gasoline service station as shown in the last equalized assessment roll, such notice to be mailed at least 10 days before the hearing. The applicant also shall provide posted notice in a visible location on the gasoline service site at least 20 days before the hearing.

(d) The Zoning Administrator shall render written determination within 60 days of the hearing.

((e) An application fee of $300 shall be imposed for persons applying for an exemption under this provision.))

(((f))) (e) If necessary, the Zoning Administrator shall have the authority to consult with or retain the assistance of the staffs of the Department of Public Works, Real Estate Department, Mayor's Office of Business and Economic Development, and Office of Community Development in the review of applications

for service station conversion. (Added by Ord. 288-91, App. 7/22/91; amended by Ord. 185-92, App. 6/22/92)

Section 2, Part II, Chapter 2, Article 3, Section 302 of the San Francisco Municipal Code is hereby amended to read as follows:

Sec. 302. **AMENDMENTS.** (a) General. Whenever the public necessity, convenience and general welfare require, the Board of Supervisors may, by ordinance, amend any part of this Code. Such amendments may include reclassification of property (changes in the Zoning Map), changes in the text of the Code, or establishment, abolition or modification of a setback line. The procedures for amendments shall be as specified in this Section and in Sections 306 through 306.6.

(b) Initiation. An amendment may be initiated by introduction by a member of the Board of Supervisors of a proposed ordinance approved as to form by the City Attorney, or by a resolution of intention by the City Planning Commission, or ((,except for changes in the text of the Code,)) by application of one or more interested property owners, residents or commercial lessees or their authorized agents. Upon the introduction of an ordinance, the Clerk of the Board of Supervisors shall transmit the proposed ordinance to the City Planning Commission. A resolution of intention adopted by the

City Planning Commission shall refer to, and incorporate by reference, a proposed ordinance approved as to form by the City Attorney. An "interested property owner" is hereby defined, for the purposes of this Section, as an owner of real property, a resident or a commercial lessee, that is either within the area included in the application or within a distance of 300 feet of the exterior boundaries of such area, or at a greater distance therefrom upon a showing that such property is influenced by development currently prohibited by this Code within the area.

(c) Determination. The City Planning Commission shall hold a hearing on the proposed amendment. If, following its hearing, the City Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendment or any part thereof, it shall approve such amendment or part, and otherwise it shall disapprove the same. If approved by the City Planning Commission in whole or in part, the proposed amendment or part shall be presented to the Board of Supervisors, together with a copy of the resolution of approval, and the Board of Supervisors may adopt such amendment or part by a majority vote. Disapproval of the proposed amendment or part by the City Planning Commission shall have the following effect, depending upon the type of amendment involved:

(1) A proposed amendment or part that had been introduced by a member of the Board of Supervisors to change the text of the Code shall be presented to said Board, together with a copy of

the resolution of disapproval, and said amendment or part may be adopted by said Board by a majority vote.

(2) A proposed amendment or part that had been introduced by a member of the Board of Supervisors to reclassify property or to establish, abolish or modify a setback line shall be presented to said Board, together with a copy of the resolution of disapproval, and said amendment or part may be adopted by said Board only by a vote of not less than 2/3 of all members of said Board.

(3) In all other cases, the disapproval of the City Planning Commission shall be final, except upon the filing of a valid appeal to the Board of Supervisors as provided in Section 308.1 in the case of a proposed amendment or part that had been initiated by application to reclassify property or to establish, abolish or modify a setback line.

(d) Referral of Proposed Text Amendments Back to City Planning Commission. In acting upon any proposed amendment to the text of the Code, the Board of Supervisors may modify said amendment but shall not take final action upon any material modification that has not been approved or disapproved by the City Planning Commission. Should the Board adopt a motion proposing to modify the amendment while it is before said Board, said amendment and the motion proposing modification shall be referred back to the City Planning Commission for its consideration. In all such cases of referral back, the amendment

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and the proposed modification shall be heard by the City Planning Commission according to the requirements for a new proposal, except that newspaper notice required under Section 306.3 need by given only 10 days prior to the date of the hearing. The motion proposing modification shall refer to, and incorporate by reference, a proposed amendment approved by the City Attorney as to form.

Section 3, Part II, Chapter 2, Article 3.5A of the San Francisco Municipal Code is hereby amended to read as follows:

ARTICLE 3.5A

Sec. 350. FEES, GENERAL. Fees shall be imposed in order to compensate the Department of City Planning for the cost of processing permit applications for the establishment, abolition or modification of a setback line, for signs, demolition, reclassification of property, conditional use authorization, granting of an exemption, variance, or coastal zone permit; reviewing permit applications filed in and issued by other City departments, institutional master plans, Master Plan amendments and referrals, projects which require review under Section 295 of this Code (park shadow ordinance) and permits requiring additional review by nature of their location within the C-3 District, projects requiring special review pursuant to Section 306.7; providing transportation review associated with project applications, providing policy and code review and interpretation, Zoning Administrator written determinations

pursuant to Section 307 (a), zoning certifications, research, document retrieval and technical reports, City Planning Commission agendas, notification of project applications, computer acquisition, hazardous waste facilities review; collection of fees that are in arrears, collection of delinquent accounts. Fees shall be charged and collected as indicated for each class of application, permit, filing request or activity listed in Sections 351 through 358 below.

(a) Estimated Construction Costs are as defined by the San Francisco Building Code.

(b) All fees are payable at time of filing application or request, except where noted otherwise.

(c) Refunds - When an application is (1) either withdrawn by the applicant, or deemed cancelled by the Department of City Planning due to inactivity on the part of the applicant, and (2) the Zoning Administrator determines that no substantial costs have been incurred by the Department in acting on the application (for example, little time has been expended beyond initial scoping meetings), then the applicant shall be entitled to a refund of 75 percent of the fee paid to the Department.

(d) Deferred ((Reduced)) Fee

(1) Any fraternal, charitable, benevolent or any other non-profit organization, which organization is exempt from taxation under the Internal Revenue laws of the United States and the Revenue and Taxation Code of

the State of California as a bona fide fraternal, charitable, benevolent or other non-profit organization, shall pay ((75% of the base)) fees for applications specified in Sec. 352 (a), (g), (h), (i), (j), ((plus 100% of)) based on time and materials only, up to the full fee, ((for any cost beyond the base fee paid, as long as the fees are paid)) but may defer payment of the fee until (1) before final Department of City Planning approval of the building permit, preparatory to issuance of the building permit, before the building permit is released to the applicant, or (2) within one year of the date of action on the application, whichever comes first; provided that the application is for the development of residential units all of which are affordable to low and moderate income households, as defined in the Guidelines of the United States Housing and Urban Development Department, for a period of 20 years, which exemption shall apply notwithstanding the inclusion in the development of other non-profit ancillary or accessory uses. ((In the event that the Department of City Planning is provided information establishing that the City and County of San Francisco is contributing 50% or more of the financing for the project, but less than 5%,

the fees paid by these non-profit organizations for such affordable housing developments shall be 50% of the specified fees, and provided further, if the Department determines that the City and County of San Francisco is contributing 75% or more of the financing for the project, the fee shall be waived. For the purposes of this paragraph, funds received by the City and County of San Francisco as entitlement under Federal or State Programs and San Francisco Redevelopment Agency funds shall be considered contributions of the City and County of San Francisco.))

(2) An exemption from paying the full fees specified under Section 352(b) may be granted when the requestor's income is not enough to pay for the fee without affecting their abilities to pay for the necessities of life, provided that the person seeking the exemption demonstrates to the Zoning Administrator that they are substantially affected by the proposed project.

Sec. 351. ADMINISTRATIVE SERVICES.

(a) Agendas for Planning Commission - $15 annual subscription to cover costs of mailing. Planning Commission Secretary may authorize exemptions in those instances where costs would impose financial hardship.

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(b) Certification of Copies - $25 per document.

(c) Document Retrieval - Actual estimated costs for retrieval and return of files stored off-site per schedule prepared by Director of Planning. No charge is allowed for labor costs incurred in document retrieval, only out-of-pocket expenses paid by the Department.

(d) Information, Analysis, Report Preparation and Presentation, Research Services, Data Requests, Site Inspections - Time and materials as set forth in an analysis and reporting schedule, based on the Department's estimated actual costs for time and materials required to perform the work, prepared by the Director of Planning and approved by the City Planning Commission. The costs of report preparation may be amortized by factoring full cost recovery into the pricing of such information and reports. Time and materials are based on $36 minimum for first half hour of staff time or fraction thereof, plus time and materials for each subsequent half hour of staff time. Time and materials estimates will be prepared for services exceeding four hours.

(e) Late Charges and Collection of Overdue Accounts - A surcharge of one percent per month shall be added to the fee amount owing the Department for fee accounts in arrears more than 30 days. The Zoning Administrator may call upon other City agencies or duly licensed collection agencies for assistance in collecting delinquent accounts more than six month in arrears, in

which case any additional costs of collection may be added to the fee amount outstanding. If the Department seeks the assistance of a duly licensed collection agency, the approval procedures of Administrative Code Article 5, Section 10.39-1 et. seq. will be applicable.

(f) Monitoring Projects. - Fee to be collected at the time of building permit issuance, by the Central Permit Bureau.

(1) Authorized projects under Sections 149, 163, 164, 165 and 321 - $5,000 per project.

(2) All approved applications in Section 352(a) and (j), 353 (a) and (b), and 355 - $142 for two hours of staff time or portion thereof plus time and materials beyond first two hours' of staff time for monitoring conditions of approval established pursuant to a public hearing by the City Planning Commission or Zoning Administrator; such time and materials includes resources provided by other departments or agencies as well as the Department of City Planning. Time and materials shall not exceed the original fee paid. For monitoring required subsequent to the time of permit issuance or where no permit is required, the fee will be charged and collected by the Department.

(g) Notices of Special Restrictions, review and approval, for recordation in Office of County Recorder - $71.

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(h) Project Review for ((P))policy and ((C))code ((R))review and ((I))interpretation for ((Prospective)) ((P))projects for ((W))which an ((A))application ((H))has ((N))not ((B))been ((F))filed, and site-specific design guidelines and Code-complying massing recommendations - $142 for two hours of staff time or fraction thereof plus time and materials beyond first two hours of staff time. Total charge not to exceed $1,000, without providing an estimate of cost. Initial fee to be paid prior to meeting date.

(i) Project Notifications for an Individual or Organization Requesting Notification of Project Applications.

(1) First Address or First Assessor's Block - $25 per annum.

(2) Additional Addresses - $10 for addresses in each new Assessor's Block thereafter, per annum.

(((j) Research Services and Data Requests - $36 minimum for first half hour of staff time or fraction there of, plus $36 for each subsequent half hour of staff time.))

(j) (((k))) Zoning Administrator written determinations pursuant to Section 307(a) - $71 minimum for first hour of staff time or fraction thereof, plus $71 for each subsequent hour of staff time. Total charge not to exceed $1,000, without providing an estimate of cost.

(k) (((l))) Zoning Certifications.

(1) Single Family Residence - $50.

(2) Others Uses - $71 minimum for first hour of staff time or fraction thereof, plus $71 for each subsequent hour

of staff time. Total charge not to exceed $1,000, without providing an estimate of cost.

(l) (((m))) Responding to Work Requests Requiring Overtime Work: An additional 50% above the normal fee.

Sec. 352. COMMISSION AND VARIANCE HEARING APPLICATIONS.

(a) Conditional Use (Sec. 303), Variance (Sec. 305) and Coastal Zone Permit (Sec. 330) Applications.

Estimated Construction Cost	Initial Fee
Less than $10,000	$800
$10,000 to $999,999	$1,000 plus .46% of cost over $10,000
$1,000,000 to $4,999,999	$5,516 plus .55% of cost over $1,000,000
$5,000,000 to $9,999,999	$27,670 plus .46% of cost over $5,000,000
$10,000,000 to $29,999,999	$50,476 plus .24% of cost over $10,000,000
$30,000,000 to $49,999,999	$99,346 plus .15% of cost over $30,000,000
$50,000,000 to $99,999,999	$128,668 plus .1% of cost over $50,000,000
$100,000,000 or more	$177,538 plus .03% of cost over $100,000,000

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No construction cost	$1,000 plus time and materials in excess of fee paid, total charge not to exceed two times the initial fee, without providing an estimate of cost.

(1) Applications with Verified Violations of this Code - time and materials in excess of fee for renotification, investigation and research relating to processing applications, where the applicant has failed to respond fully, and within the time requested, to a notice of incomplete application citing the code violations with direction for their correction, not to exceed five times the amount of the initial fee.

(2) Where an applicant requests both a conditional use authorization and a variance, certificate of appropriateness, permit to alter a significant or contributory building, both within and outside of Conservation Districts, or a coastal zone permit review, the amount of the variance, certificate of appropriateness or coastal zone permit initial fee shall be reduced by 50%; plus time and materials in excess of the fee paid, total charge not to exceed the full fee.

(3) Minor project modifications requiring a public hearing to amend conditions of approval of a previously authorized project, not requiring a substantial reevaluation of the prior authorization - (($750)) $800 plus time and materials in excess of fee paid((.)), total charge not to exceed $1,000, without providing an estimate of cost.

(4) The applicant shall be charged for any time and materials beyond the initial fee paid in Sec. 352(a), not to exceed twice the amount of the initial fee. However, an applicant proposing significant revisions to a project for which an application is on file with the Department of City Planning shall be charged time and materials to cover the full costs in excess of the fee paid, not to exceed three times the original fee.

(5) For agencies or departments of the City and County of San Francisco, the initial fee for applications shall be based upon the construction cost as set forth above; provided, however, that the initial fee shall not exceed the initial fee established for projects with a construction cost of $5,000,000. For those projects with a construction cost of $5,000,000 or more, the agency or department shall be charged for any time and materials beyond the initial fee paid, not to exceed three times the amount of the initial fee.

(b) Discretionary Review Request - $125.

(c) Institutional Master Plan (Sec. 304.5).

(1) Full Institutional Master Plan or substantial revision - $8,400 for first 100 hours of staff time or portion thereof plus time and materials beyond first 100 staff hours((.)), total charge not to exceed twice the initial fee, without providing an estimate of cost.

(2) Abbreviated Institutional Master Plan - $840 for first ten hours of staff time or fraction thereof plus time and materials beyond first 10 staff hours((.)), total charge not to exceed twice the initial fee, without providing an estimate of cost.

(d) Land Use Amendments and Related Plans and Diagrams of the San Francisco Master Plan - Fee based on the Department's estimated actual costs for time and materials required to review and implement the requested amendment, according to a budget prepared by the Director of Planning, in consultation with the sponsor of the request.

(e) Master Plan Referrals (((Sec. 101.1))) - $214 for three hours of staff time or fraction thereof, plus ((T))time and materials((.)) for each subsequent hour of staff time. Total charge not to exceed $1,500, without providing an estimate of cost.

(1) Redevelopment Plan Review - the Director of Planning shall prepare a budget to cover actual time and materials expected to be incurred, in consultation with

the Redevelopment Agency. A sum equal to one-half the expected cost will be submitted to the Department, prior to the commencement of the review. The remainder of the costs will be due at the time the initial payment is depleted.

(f) Neighborhood Commercial District Regulations, Extension of deadline for applications for compliance (Sec. 179).

(1) Building Permit - $1,545 in addition to fee under Sec. 355(a).

(2) Conditional Use Permit - $985 in addition to fee under Sec. 352(a).

(g) Planned Unit Development (Sec. 304) - same as fee schedule for conditional use (Sec. 352(a)) plus time and materials for any cost beyond the fee paid, not to exceed twice the amount of the initial fee.

(h) Reclassify property or impose interim zoning controls - $3,000 plus $600 per additional Assessor's Block or portion thereof.

(1) The applicant shall be charged for any time and materials beyond the fees established in Sec. 352 (h), not to exceed twice the amount of the initial fee.

(2) Applications with verified violations of this Code -time and materials in excess of fee for renotification, investigation and research relating to processing applications, where the applicant has failed to respond

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fully, and within the time requested, to a notice of incomplete application citing the code violations with direction for their correction, not to exceed five times the amount of the initial fee.

(i) Setback Line, establish, modify or abolish - $1500 for each affected block frontage or portion thereof.

(j) Temporary Use Fees: $71 for first hour of staff time or fraction thereof plus time and materials for each subsequent hour of staff time; provided, however, that if the Zoning Administrator projects the cost will exceed $1,000, a budget shall be developed in consultation with the applicant for the work required to process the application.

(k) Hazardous Waste Facility Applications (California Health and Safety Code, Division 20, Chapter 6.5, Article 8.7, commencing with Section 25199).

(1) The fee shall equal the City's actual costs of processing the application in accordance with the California Health and Safety Code, which requires the City to comply with notification requirements; establish, convene and provide staff assistance to a local assessment committee; provide technical assistance grants to the local assessment committee; and present the City's position on the application to the Governor's appeal board in the event of an appeal.

(2) The applicant shall pay an initial fee equal to the estimated actual time and materials costs expected to be incurred in processing the application as required by the California Health and Safety Code and estimated actual costs of technical assistance grants that the City expects to provide to the local assessment committee. The initial fee shall be itemized in a Hazardous Waste Facility Review Budget and Schedule ("Budget" and "Schedule") prepared by the Director of Planning, in consultation with the applicant, and approved by the City Planning Commission; provided, however, that if the estimated Schedule exceeds one year, then the estimated Budget shall be prepared for the initial twelve-month period only and the estimated Budget for any subsequent twelve-month time period shall be prepared prior to the end of the prior twelve-month period.

(3) The applicant shall pay the initial fee prior to filing the notice of intent required by the State, provided, however, that the Budget and Schedule may authorize payment of the initial fee in up to four equal increments payable periodically over the period of the Schedule, in which case the first installment shall be

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paid prior to filing the notice of intent.

(4) Where initial payment is insufficient to compensate the actual cost incurred, the Director of Planning shall charge the applicant an additional sum equal to such actual cost after first revising the Budget and Schedule to reflect the additional cost and obtaining the approval of the City Planning Commission.

(5) Fees paid to the Department pursuant to this section shall be deposited with the Treasurer and held by the Controller and expended in accord with the hazardous Waste Review Budget approved pursuant to this Section.

(l) Amendments to Text of the Planning Code: $3,000 plus time and materials in excess of the fee paid((.)), total charge not to exceed twice the initial fee paid, without providing an estimate of cost.

(m) Determination of Compatibility with Design Guidelines Related to Bernal Heights (Sec. 242(e)6(B): $125.

(n) Zoning Administrator Conversion Determinations related to Service Station Conversions (Sec.228.4) - $600 plus time and materials in excess of the fee paid, total charge not to exceed twice the initial fee paid, without providing an estimate of cost.

Sec. 353. DOWNTOWN APPLICATIONS.

(a) Exception in C-3 District (Section 309) - 1/2 the fee for conditional use (Sec.352(a)).

(b) Modifications in C-3 District, Determination of Need (Section 309) - same as fee schedule for conditional use (Sec.352(a)).

(c) Office Development Limitation Projects (Section 320 through 323) - $15,000 per application.

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(d) Transfer of Development Rights and Article 11 Designated Buildings.

(1) Significant or Contributory Building, designation or change of boundary - $670.

(2) Conservation District, designation or change of boundary - $670.

(3) Permit to Alter ((for alteration of)) a Significant or Contributory Building within a designated Conservation District, not deemed minor by the Zoning Administrator.

Certificate of Appropriateness Fee Schedule (Sec. 356(c)

((Estimated Construction Cost	Fee
Less than $1,000	$200
$1,000 to $9,999	$400
$10,000 to $999,999	$750 plus .34% over $10,000
$1,000,000 to $4,999,999	$4,155 plus .39% over $1,000,000
$5,000,000 to $9,999,999	$19,923 plus .34% over $5,000,000

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$10,000,000 to $29,999,999	$36,946 plus .17% over $10,000,000
$30,000,000 to $49,999,999	$71,829 plus .11% over $30,000,000
$50,000,000 to $99,999,999	$93,332 plus .07% over $50,000,000
$100,000,000 or more	$129,170 plus .02% over $100,000,000
No construction cost	$400 plus time and materials in excess of fee paid))

(4) Alteration of a Contributory Building located outside a Conservation District from which no TDR have been transferred and no issuance of a permit pursuant to Sections IIII through IIII.6 - $25.

(5) Significant or Contributory Building Demolition - $670. This fee shall be in addition to any fee otherwise required for permits to alter or demolish. However, applications to demolish a Contributory Building located outside a Conservatory District from which no TDR have been transferred or a Category V Building in a conservation District from which no TDR have been transferred are subject only to the demolition fee contained in Sec. 355(b)(b).

(6) Statement of Eligibility - $500.

(7) Certificate of Transfer, Execution - $250.

(8) Certification of Transfer of TDR - $500.

Sec. 354. **ENVIRONMENTAL REVIEW. SEE ADMINISTRATIVE CODE, SECTION** 31.46A FOR FEES.

Sec. 355. **PERMIT APPLICATIONS.**

(a) Building Permit Applications for a new building, change in use or alter the exterior of an existing building to be collected by Central Permit Bureau.

Estimated Construction Cost	Initial Fee
$500 or less	$90
$501 to $999	$90 plus 10% of cost over $500
$1000 to $1999	$140 plus 6% of cost over $1000
$2000 to $4999	$200 plus 3% of cost over $2000
$5000 to $9999	$290 plus 1% of cost over $5000
$10,000 to $199,999	$340 plus .2% of cost over $10,000
$200,000 to $4,999,999	$720 plus .17% of cost over $200,000
$5,000,000 to $9,999,999	$8870 plus .15% of cost over $5,000,000
$10,000,000 or more	$16,370 plus .14% of cost over $10,000,000
No construction cost	$190 plus time and materials in excess of fee paid, total charge not to exceed five times

the initial fee, without providing an estimate of cost.

Provided, however, that the fees charged for Department of City Planning approval at the Construction Services Center for the replacement of windows and doors shall be reduced to one half the fee set forth above.

(1) Applications with verified violations of this Code - time and materials in excess of fee for renotification, investigation and research relating to processing applications, where the applicant has failed to respond fully, and within the time requested, to a notice of incomplete application citing the code violations with direction for their correction, not to exceed five times the amount of the initial fee.

(2) Back-Check Fee for Permit Revisions - $71 an hour to be collected at time of permit issuance((.)), not to exceed $1,000, without providing an estimate of cost.

(3) ((Design Guidelines and Code-Complying Massing Recommendations, Site-Specific - $168 plus time and materials beyond 2 hours, to be collected at time of permit issuance.)) Substantial Alteration or Demolition of a building which the Zoning Administrator determines to be Historically and/or Architecturally Significant, requiring a Landmarks Preservation Advisory Board review - $285 for the first four hours of staff

time or fraction thereof, plus time and materials for each subsequent hour of staff time, time and materials not to exceed five times the initial fee, without providing an estimate of cost.

(4) C-3 (Downtown Commercial) District Notification Fee (Sec. 309) - additional $200.

(5) New Construction or Alteration Exceeding 40 Fee in Height (Section 295) - additional $200.

(6) Projects requiring review under special review procedures established by the City Planning Commission pursuant to interim legislation adopted as interim controls pursuant to Section 306.7, during the period of time such controls are in effect, including any extensions - $275.

(7) Site Permit applications, to be collected by Central Permit Bureau: Where construction cost is more than $350,000 or more than one addendum is filed $300 in addition to the normal permit application fee.

(8) For agencies or departments of the City and County of San Francisco, the initial fee for applications shall be based upon the construction cost as set forth above; provided, however, that the initial fee shall not exceed the initial fee established for projects with a

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construction cost of $10,000,000. For those projects with a construction cost of $10,000,000 or more, the agency or department shall be charged for any time and materials beyond the initial fee paid, not to exceed three times the amount of the initial fee.

(b) Demolition Applications, to be collected by Central Permit Bureau((.)) - $400.

(((1) Administratively reviewed - $400.))

(((2) Requiring Landmarks Preservation Advisory Board Action- $710 plus time and materials beyond 10 hours.))

(c) Fire, Police and Health Department Permit Applications Review - $45 plus time and materials for work in excess of one hour to be collected by the other departments in conjunction with current fee collections, time and materials not to exceed five times the initial fee, without providing an estimate of cost.

(d) Sign Applications, to be collected by Central Permit Bureau - $90.

Sec. 356. PRESERVATION APPLICATIONS (Article 10).

5/10/95 grh (a) Landmark - $250.

(b) Amendment, Rescission or Designation of historical district - $1,000 plus time and materials in excess of fee paid((.)), ~~time and materials not exceed two times the initial fee, without providing an estimate of cost.~~

5/15/95 (c) Certificate of Appropriateness ~~Fee Schedule~~

Estimated Construction Cost	~~Initial~~ Fee
Less than $1,000	$200
$1,000 to $9,999	$400
$10,000 ~~((or more))~~ ~~to $4,999,999~~	Conditional Use Fee Schedule (Sec. 352(a))
~~$5,000,000 or more~~	~~$27,670 plus time and materials beyond the fee paid, not to exceed twice the amount of the initial fee.~~

5/15/95 mm

(d) Determination that a building is a compatible rehabilitation or a compatible replacement building, pursuant to Sections 309 or 1109 - Same as Conditional Use Fee Schedule (Sec. 352 (a)).

Sec. 357. TRANSPORTATION REVIEW ASSOCIATED WITH PROJECT APPLICATIONS.

(a) Initial transportation assessment to determine whether transportation study is required - $142.

(b) Transportation study - $5,680 plus time and materials for costs incurred beyond the initial fee((.)), total charge not to exceed two times the initial fee, without providing an estimate of cost.

Sec. 358. TEMPORARY SURCHARGES ON PLANNING FEES.

(a) For each class of permit, filing or request listed in Sections 351 through 357 ((a 10)) an 8.5 percent surcharge shall be added to the filing fee to enable the Department of City Planning

to recover the cost incurred by the Department in developing and implementing the hardware and software systems required to computerize activities associated with the Department's processing of permit applications ((and for required operations and maintenance of Department space at 1660 Mission Street)). This surcharge shall remain in effect through June 30, ((1995)) 1996.

Sec. 359. PERIOD ARTICLE IS OPERATIVE. THIS ARTICLE IS OPERATIVE EFFECTIVE JULY 1, 1991 THROUGH DECEMBER 31, 1995. This Article is repealed as of January 1, 1996 unless a later enacted ordinance extends the operative period.

These amendments to fees related to the Department of City Planning are intended to provide revenues for the increased staffing and other support necessary to provide more timely processing of applications within that Department.

The City Planning Commission shall conduct public hearings at the end of Fiscal Year 1992-1993, Fiscal Year 1993-94 and Fiscal Year 1994-1995 to review the level of service provided by the Department of City Planning in providing improved application processing as contemplated under this ordinance. The Commission shall determine at its public hearing at the end of Fiscal Year 1994-95 whether to initiate an ordinance to extend or to otherwise modify those amendments to fees related to the Department of City Planning that are contained within this ordinance. The Commission shall provide a report and appropriate recommendations to the Board of Supervisors within one month of the close of its public hearing.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Judith A. Boggian
Deputy City Attorney

U:\MAX\WP51\ART9596.ORD

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 15, 1995	$	May 22, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hallinan Hsieh Kaufman	$	Bierman Hallinan Kaufman Migden
Kennedy Migden Shelley Teng	$	Shelley Teng
	$	
Absent: Supervisor Leal	$	Absent: Supervisors Hsieh Kennedy
	$	Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
115-95-2

JUN 2 1995
Date Approved

Mayor

FILE NO. 118-95-1 ORDINANCE NO. 181-95

[Enforcement of Smoking Prohibitions]

AMENDING PART II, CHAPTER V OF THE SAN FRANCISCO MUNICIPAL CODE (HEALTH CODE), BY ADDING ARTICLE 19G, CONSISTING OF SECTION 1009.40, TO PROVIDE FOR ENFORCEMENT BY THE SAN FRANCISCO PUBLIC HEALTH AND POLICE DEPARTMENTS OF CALIFORNIA LABOR CODE SECTION 6404.5 REGARDING SMOKING IN ENCLOSED PLACES OF EMPLOYMENT.

Note: The entire section is new.

Be it ordained by the People of the City and County of San Francisco:

ARTICLE 19G

SEC. 1009.40. (a) AUTHORITY. The provisions of Labor Code section 6404.5, governing smoking in enclosed places of employment, shall be enforced by peace officers employed by the San Francisco Police Department and by employees of the Department of Public Health designated by the Director of Public Health; provided, however, that employees designated by the Director of Public Health with the authority to enforce Labor

//

//

//

(Supervisor Alioto)

Code section 6404.5 may only issue citations to employers and not to patrons, customers, consumers or other guests.

(b) DEPARTMENT OF PUBLIC HEALTH EMPLOYEES AS PUBLIC OFFICERS. In the performance of their duties of monitoring and enforcing compliance with the provisions of Labor Code section 6404.5, all persons authorized by the Director of Public Health to engage in such enforcement activities shall have the power, authority and immunity of a public officer and employee as set forth in California Penal Code Section 836.5, and to make arrests without a warrant whenever such employees have reasonable cause to believe that a violation of Labor Code section 6404.5 has taken place in their presence. In any case in which a person is arrested pursuant to this authority and the person does not demand to be taken before a magistrate, the public officer or employee making the arrest shall prepare a written notice to appear and shall release the person on their promise to appear as prescribed by Chapter 5C (commencing with Section 853.6) of the California Penal Code.

The Director of Public Health, in coordination with the Chief of Police, shall establish and cause to be administered an enforcement training program designed to instruct each employee so authorized by this section to exercise arrest and citation authority. Such training shall include guidance and instruction regarding the evidentiary prerequisites to proper prosecution of violations thereof; the appropriate procedures for making arrests

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or otherwise prudently exercising such arrest and citation authority; and the legal and practical ramifications and limitations relevant to exercising enforcement authority.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
ANDREW M. OLSHIN
Deputy City Attorney

_____
SANDRA HERNÁNDEZ, M.D.
DIRECTOR OF HEALTH

_____
SANDY OUYE MORI
SECRETARY TO THE HEALTH COMMISSION

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 15, 1995	May 22, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Migden Shelley Teng
Absent: Supervisor Leal	Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Acting Clerk

File No.
118-95-1

JUN 2 1995
Date Approved

_____
Mayor

FILE NO. 155-95-5 ORDINANCE NO. 182-95

RO #94239

[Reward Authorization]

AUTHORIZING PAYMENT OF REWARD TO ROBERT K. WINN AND ROBERT K. FOREST.

NOTE: This material is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Thousand Dollars ($5,000.00) payable to Robert K. Winn for supplying information leading to the arrest and conviction of the perpetrators who set Dennis McCormick on fire on November 16, 1993.

Section 2. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Thousand Dollars ($5,000.00) payable to Robert K. Forest for supplying information leading to the arrest and conviction of the perpetrators who set Dennis McCormick on fire on November 16, 1993.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Deputy City Attorney

Funds Available:

Controller

01 001 97 09 38
309781 1450 $10,000.00

0594s

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 30, 1995	June 5, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
Absent: Supervisor Hsieh	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
155-95-5

6/6/95
Date Approved

Mayor

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FILE NO. 101-94-98

ORDINANCE NO. 183-95

RO#94221
SA#109

(Government Funding)

APPROPRIATING $8,859,766 TO THE MUNICIPAL RAILWAY TO OFFSET SHORTFALLS IN PASSENGER FARE REVENUES, CLAIMS AND JUDGEMENTS, MATERIALS AND SUPPLIES, WORKERS COMPENSATION AND SERVICES TO CITY ATTORNEY, FUNDED FROM GENERAL RESERVE ($5,259,766), TRANSIT IMPACT DEVELOPMENT FUND ($2,100,000) AND SAN FRANCISCO COUNTY TRANSPORTATION AUTHORITY ($1,500,000) FOR FISCAL YEAR 1994-95. SUBJECT OF PREVIOUS BUDGETARY DENIAL AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows.

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	General Fund Unallocated		
GL 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Fund Reserve	5,259,766	
48-4700 (841601)	Contribution Transfer Out to 31-001; Municipal Railway Operating Fund; 35-00-00; Municipal Railway		5,259,766
	Total	5,259,766	5,259,766
31-002	Municipal Railway Transit Impact Dev.Fund		
35-00-00	Municipal Railway - Transportation		
Project 729-00	Wood Annex - Land Purchase		
20-2030 (717454)	Capital Improvement Project	2,100,000	
49-4900 (897298)	Revenue Transfer Out to 31-001; Municipal Railway Operating Fund; 35-00-00		2,100,000
	Total	2,100,000	2,100,000
31-001	Municipal Railway Operating Fund		
98-9701 (196113)	Contribution Transfer In from 01-001; General Fund, 99-00-00; General Fund Unallocated	5,259,766	
99-9990 (216879)	Revenue Transfer In from 31-002; Municipal Railway Transit Impact Dev. Fund	2,100,000	
61-6509 (044388)	SFCTA	1,500,000	
90-9101	Passenger Fares		3,683,766
10-1450 (632778)	Claims and Judgements		1,100,000
11-1300 (560789)	Materials and Supplies		1,500,000
30-3700 (632083)	Workers Compensation		2,110,000
41-4200 (632075)	Non-Work Order Services of Other Dept.- City Attorney		466,000
	Total	8,859,766	8,859,766

Section 2. This Ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor

Section 3. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

EDWARD M. HARRINGTON
CONTROLLER

BY: _____

N:\EXCEL\SPPRO\A95SA#109

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 22, 1995	$	May 30, 1995
	$	
	$	
Ayes: Supervisors Ammiano Bierman	$	Ayes: Supervisors Alioto Ammiano
Hallinan Hsieh Kaufman Migden	$	Bierman Hallinan Kaufman Kennedy
Shelley Teng	$	Leal Migden Shelley Teng
	$	
Absent: Supervisors Alioto Kennedy	$	Absent: Supervisor Hsieh
Leal	$	

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Acting Clerk

File No.
101-94-98

JUN 9 1995
Date Approved

Mayor

FILE NO. 101-94-102 ORDINANCE NO. 184-95

(Government Funding)

RO#94236
SA#119

APPROPRIATING $1,138,290 OF MEDI-CAL REVENUE TO MEDICAL SERVICES CONTRACTS TO ALLOW THE DEPARTMENT OF PUBLIC HEALTH-MENTAL HEALTH TO EXPAND DRUG MEDI-CAL ELIGIBLE SUBSTANCE ABUSE PROGRAMS FOR FISCAL YEAR 1994-95. PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
87-28-70	Public Health - Mental Health Substance Abuse		
76-7698 (040915)	Short-Doyle Medi-Cal Revenue	$1,138,290	
10-1010 (732180)	Medical Services Contracts		$1,138,290
	Total	$1,138,290	$1,138,290

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

n:\[illegible]

BOARD OF SUPERVISORS
SUPERVISOR HSIEH, ALIOTO

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 22, 1995	May 30, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisors Kennedy Leal	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No. 101-94-102

JUN 9 1995
Date Approved

[signature]
Mayor

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FILE NO. 97-95 20 Amendment of the ORDINANCE NO. 185-98

FILE NO. 97-95-20 Amendment of the Whole 5/22/95 ORDINANCE NO. 185-95

[In-Home Supportive Services Public Authority]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER 70, CONSISTING OF SECTIONS 70.1 THROUGH 70.10, TO ESTABLISH A PUBLIC AUTHORITY PURSUANT TO CALIFORNIA WELFARE AND INSTITUTIONS CODE SECTION 12301.6 TO PROVIDE FOR THE DELIVERY OF IN-HOME SUPPORTIVE SERVICES.

Note: the entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Chapter 70, consisting of Sections 70.1 through 70.10, to read as follows:

Chapter 70

SEC. 70.1. PURPOSE.

The Board of Supervisors for the City and County of San Francisco (hereinafter, City) by this Chapter establishes a public authority whose powers are derived from and consistent with the provisions of Welfare and Institutions Code Section 12301.6. The name of this public authority shall be the In-Home Supportive Services Public Authority, and shall be referred to in this Chapter as the "Authority." Its purpose is to provide assistance in finding

personnel for the In-Home Supportive Services Program (IHSS) through the establishment of a central registry, and related functions, and to perform any other functions, as may be necessary for the operation of the Authority, or related to the delivery of IHSS in San Francisco, subject to all applicable federal and state laws and regulations, and to the limitations set forth in this Chapter.

SEC. 70.2. MEMBERSHIP OF GOVERNING BODY.

(a) The governing body of the Authority shall be composed of eleven members appointed by the Board of Supervisors. The Board of Supervisors shall solicit recommendations for appointment of qualified members through a fair and open process, including reasonable written notice to, and affording reasonable response time from, members of the general public and interested persons and organizations. No fewer than 50 percent of the membership shall be individuals, who are current or past users of personal assistance services paid for through public or private funds or who are recipients of IHSS, referred to in this Chapter as "consumers."

(b) Membership categories on the governing body shall be as follows:

(1) two consumers over the age of 60 years, each authorized to represent organizations that advocate for aging people with disabilities;

/ / /

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(2) two consumers between the ages of 18 and 60 years, each authorized to represent organizations that advocate for younger people with disabilities;

(3) one consumer at-large over the age of 60 years;

(4) one consumer at-large between the ages of 18 and 60 years;

(5) one worker who provides personal assistance services to a consumer;

(6) one Commissioner from the Social Services Commission, recommended to the Board by the Commission;

(7) one Commissioner from the Commission on the Aging, recommended to the Board by the Commission;

(8) one Commissioner from the Health Commission, recommended to the Board by the Commission;

(9) one member of the Mayor's Disability Council, recommended to the Board by the Council.

(c) For purposes of Government Code Sec. 87103, and 2 Cal. Code of Regulations 18703.3, it is hereby found and declared that the persons appointed to this governing body are appointed to represent and further the interests of the specific economic interest which an individual member is appointed to represent.

(d) Initial appointment of both the consumer and worker members shall be made from a list of recommendations based on

applications designed by, and submitted to, the IHSS Task Force of Planning for Elders in the Central City. Succeeding appointments of consumer and worker members shall be based on a procedure developed by the the governing body of the Authority, within the first six (6) months of operation, after receiving recommendations from the IHSS Task Force of Planning for Elders in the Central City. Every attempt shall be made to assure that each appointee will be able to serve the full term to which he or she has been appointed, in order to ensure continuity in the work of the Authority.

(e) If during his or her term as a member of the governing body of the Authority, a Social Services, Aging, or Health Commissioner or member of the Mayor's Disability Council, no longer serves on the Commission or Council, the body from which that member came shall make another recommendation for appointment to the Board of Supervisors within sixty (60) days of the end of that member's formal service on their respective commission or on the Council.

(f) After the terms of the initial period are complete, each appointment to the governing body shall thereafter be for a three-year term. A member may be reappointed, but may not serve more than a total of nine consecutive years on the governing body. The initial appointment periods shall be staggered as follows:

(1) three one year terms;

(2) four two year terms; and

(3) four three year terms.

Upon appointment, members shall draw lots to determine the length of each member's initial term. Members shall serve without compensation.

(g) Qualified applicants must reside in San Francisco and have: familiarity with, or knowledge of, personal assistance services; the capacity to understand their role to aid and assist the Authority in the administration of its duties; and the ability to attend regularly scheduled meetings, which shall occur only in facilities which meet disability access requirements. Those City departments from which Authority members are drawn shall provide appropriate assistance to their respective representative in fulfilling his or her duties to the Authority. Within the first ninety (90) days, the members of the governing body of the Authority shall receive orientation and training from the IHSS Task Force of Planning for Elders in the Central City and the Department of Social Services regarding the functions and duties of the Authority, current issues related to delivery of IHSS and the responsibilities of the Authority's governing body. Each subsequent new member shall receive similar orientation and training from Authority staff within sixty (60) days of appointment.

(h) Regulations governing the grounds for removal from, and use of alternates on, the governing body shall be proposed by the

governing body and submitted to the Board of Supervisors within ninety (90) days of the date of the first meeting of the governing body. These regulations and any proposed amendments shall be initiated exclusively by the governing body and submitted to the Board of Supervisors for review, and shall become effective within ninety (90) days of the date of receipt by the Board, unless disapproved by the Board by resolution. In exercising these review powers, the Board of Supervisors may only approve or disapprove, it may not modify such regulations and proposed amendments.

SEC. 70.3. POWERS.

(a) The Authority shall be an entity separate from the City and County of San Francisco and shall file the Statement of Fact for the Roster of Public Agencies required by Section 53051 of the Government Code.

(b) The Authority shall be a corporate public body, exercising public and essential governmental functions with all powers necessary and convenient to carry out the delivery of IHSS, including the power to contract for services pursuant to Sections 12302 and 12302.1 of the Welfare and Institutions Code, subject to any limitations set forth in this Chapter.

(c) The Authority shall only engage in the following duties and functions involving IHSS until such time that the requirements for the transferring of additional functions, as set forth in

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Section 70.6, are met: planning and advocacy for IHSS consumers and personnel; operation of a registry, including investigation of the qualifications and background of potential personnel, and referral of potential personnel to consumers; and acting as the employer of IHSS personnel in conformance with Sec. 70.3(g) of this Article.

(d) Any obligation or legal liability of the Authority, whether statutory, contractual or otherwise, shall be the obligation or liability solely of the Authority and shall not be the obligation or the liability of the City. All contracts between the Authority and third parties shall contain an express provision advising the contractor that the Authority is a separate governmental entity and that such agreement does not bind the City.

(e) All contracts, leases, or other agreements of any nature, including collective bargaining agreements, between the Authority and any party, except those with the City, shall contain the following statement: "The Authority is an independent legal entity, separate and apart from the City and County of San Francisco. The Authority has no power to bind the City to any contractual or legal obligations. Nor may the obligees of the Authority seek recourse against the City for any financial or legal obligation of the Authority."

(f) Employees of the Authority shall not be employees of the City for any purpose.

(g) The Authority shall be deemed to be the employer of IHSS personnel referred to consumers, under paragraph (3) of subdivision (d) within the meaning of Chapter 10 (commencing with Section 3500) of Division 4 of Title 1 of the Government Code, commonly known as the Meyers-Milias-Brown Act. The Authority shall not be deemed to be the employer of IHSS personnel referred to consumers under this Chapter for purposes of liability due to the negligence or intentional torts of the IHSS personnel.

(h) Nothing in these enumerated powers shall be construed to limit or interfere with the consumers' right to retain, select, terminate, and direct the work of any worker providing services to them.

(i) Nothing in these enumerated powers shall be construed to alter, require the alteration of, or interfere with the state's payroll system and other provisions of Section 12302.2 of the Welfare and Institutions Code for independent providers of IHSS, or to affect the state's responsibilities with respect to unemployment insurance, or workers' compensation for providers of IHSS.

(j) The Authority shall maintain general liability insurance in an amount determined to be adequate by the City's Risk Manager, and shall name the City as an additional insured.

(k) The governing body of the Authority shall hire staff, and adopt rules and regulations, not inconsistent with the provisions of

this Chapter, in order to implement and interpret this Chapter.

SEC. 70.4. FISCAL PROVISIONS.

(a) In order to facilitate the implementation of the Authority in a timely manner, the City Treasurer and the City Controller may enter into contracts with the Authority for the provision of fiscal services, with or without compensation from the Authority, under such terms and conditions as the Treasurer and Controller may require. If any such contract is executed, the Controller shall establish and maintain a specific account or accounts for this purpose. In addition, other City departments may enter into contracts with the Authority, with or without compensation, for the provision of various services that may be needed by the Authority. All such contracts are subject to the applicable approval process as required by the San Francisco Charter, the San Francisco Administrative Code and the respective department regulation and policy.

(b) In adopting this Chapter, the Board recognizes that the funding of IHSS is the product of a complex relationship of federal, state and City financing, and that the ability of the Authority to operate and to negotiate the wages and benefits of the providers of IHSS is contingent upon the availability of adequate funding from all sources. Nothing in this Chapter is intended to require the City to appropriate any funds for the operation of the Authority or

for the payment of wages or benefits to the providers of IHSS.

(c) The Department of Social Services shall be the financial liaison between the City and County of San Francisco and the Authority. The Department of Social Services shall take appropriate action in order to procure all available federal and state funds for the administration and delivery of IHSS, and by contract, grant or agreement, transfer monies procured from these sources and from any funds that the City may appropriate, to the Authority for the operation of its designated functions, subject to the budgetary and fiscal provisions of the San Francisco Charter and the San Francisco Administrative Code. The Authority shall submit its annual funding request to the Department of Social Services no later than the deadline determined by the Department of Social Services to enable the Department to prepare and submit its budget to the Mayor's office. The Authority shall comply with all claiming and reporting deadlines set by the Department of Social Services.

The total of all operating costs, wages and benefits proposed or established by the Authority must be consistent with the provisions of the final City budget.

The Authority may not establish a payment rate that includes the costs of wages, benefits and operation, until the governing body of the Authority makes a finding that the funds necessary for payment of that rate are legally available.

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(d) If and when the federal or state agencies responsible for IHSS promulgate regulations that authorize and create direct funding mechanisms for the Authority, the Authority and the Department of Social Services may modify their agreements to facilitate that direct financial relationship.

SEC. 70.5. ANNUAL REPORT AND PLAN.

The Authority shall submit annually a report to the Board of Supervisors detailing its functions and evaluating its operation for that year. In addition, such report shall present the Authority's specific goals and objectives for the coming year and its plan for meeting those goals and objectives. If, for any coming year, the Authority intends to expand its duties, the Authority shall present a detailed plan and budget for the implementation of that expansion of duties. Such plan shall be circulated to all interested City departments and community groups prior to presentation to the Board of Supervisors.

SEC. 70.6. TRANSITION OF FUNCTIONS.

Prior to any transfer of federal or state mandated IHSS functions from City responsibility to the Authority, all affected Commissions, by resolution, and the Board of Supervisors, by ordinance, must approve such relinquishment by the City to the Authority of responsibility with respect to IHSS services. Further, the Authority, through its applicable process, must accept all legal

liability for those legally mandated responsibilities transferred by the City to the Authority.

SEC. 70.7. TERMINATION.

By repeal of this Chapter, the Board of Supervisors may abolish the Authority.

SEC. 70.8. ENUMERATION OF POWERS.

The enumeration of powers in this Chapter of some of the provisions of Welfare and Institutions Code Section 12301.6 shall not be interpreted as manifesting an intent of the Board of Supervisors to subject either the City or the Authority to duties or liabilities not imposed by that statute.

SEC. 70.9. DISCLAIMERS.

By establishing the Authority, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

Section 70.10. SEVERABILITY.

(a) If any provision of this Chapter, or the application of any such provision to any person or circumstance, shall be held invalid, the remainder of this Chapter, to the extent it can be given effect, or the application of those provisions to persons or

circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Chapter are severable.

(b) Notwithstanding the provisions of subsection (a), if any provision of this Chapter imposing limitations or restrictions on the Authority, or the powers or duties of the Authority, including the ability of the Authority to propose or establish payment rates, shall be held invalid, the provisions of this Chapter shall not be deemed severable and this Chapter shall be held invalid in its entirety.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 22, 1995	$	May 30, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Migden Shelley Teng	$	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng
	$	
Absent: Supervisors Hsieh Kennedy Leal	$	Absent: Supervisor Hsieh
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Acting Clerk

File No. 97-95-20

JUN 9 1995
Date Approved

_____
Mayor

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SETTING SCHEDULES OF COMPENSATION AND OTHER ECONOMIC BENEFITS FOR CERTAIN CLASSIFICATIONS OF PERSONS EMPLOYED BY THE SUPERIOR COURT FOR THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

I. This ordinance, which has been approved by a majority of the judges of the Superior Court pursuant to Government Code section 69900, establishes the rates of compensation and benefits effective January 1, 1995, for the following classifications of Superior Court Employees: 0648 Court Investigator; 0655 FCS Counselor; 0649 Probate Examiner; 0170 Court Reporter and 0678 Executive Secretary.

II. The schedule of compensation for the above employees attached hereto as Appendix 1, and the additional benefits authorized herein shall be effective January 1, 1995 unless otherwise specified.

III. For purposes of this ordinance, the term "covered employees" shall mean those classifications enumerated in paragraph 1. The term "Court" shall mean the Superior Court for the City and County of San Francisco.

IV. Compensation and Additional Economic Benefits for Covered Employees

1. PAYROLL PROCEDURES

A. Overtime and Holiday Pay

All holiday and overtime paychecks should be distributed as part of the regular pay warrants for the period in which the overtime was earned.

B. Recovery of Overpayment.

The schedule of recovery of any overpayment shall be made by mutual agreement between the City and the employee. In the absence of a mutual agreement, the City will recover no more than 20% of the total amount in any

one biweekly paycheck.

2. STATE UNEMPLOYMENT AND DISABILITY INSURANCE

A. Upon a vote by one-half or more of the members of a covered classification that the members desire to be enrolled in the State Disability Insurance Program, the Board of Supervisors shall immediately take any and all necessary action to enroll such all employees therein. The members of the classification shall certify to the Employee Relations Director that they desire to be enrolled for SDI no later than forty-five (45) days prior to SDI's quarterly enrollment dates and the Board shall take necessary action to enroll such employees in time for the next SDI enrollment date.

B. An employee entitled to SDI shall receive in addition thereto such portion of his/her accumulated sick leave with pay as will equal, but not exceed, the regular biweekly "take home" earnings of the employee, excluding optional deductions. Such supplementary payments shall continue for the duration of the employee's illness or disability or until sick leave with pay credited to the employee is exhausted, whichever occurs first.

At an employee's option, an employee's accrued vacation, holiday, and compensatory time off can also be integrated with SDI payments in the same manner as sick leave.

3. REIMBURSEMENT OF WORK-RELATED EXPENSES

A. Mileage.

1. The Chief Executive Officer may request employees to use their own vehicle for Court business. Employees using their own vehicle for Court business shall be reimbursed for expenses incurred at the rate of twenty-five cents ($ 25) per mile and for all necessary parking and toll expenses.

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2. The above mileage rate shall be increased each calendar quarter by one cent per mile for each ten cents increase in the average cost of gasoline and defined for "gasoline all types" per gallon in the Energy Report published by the Bureau of Labor Statistics, U.S. Department of Labor. The base period against which increases shall be measured shall be the average price per gallon established for July 1, 1982. Said rate shall be fixed by the Controller within two weeks of his receipt of the above report.

B. Damaged or Stolen Property.

Reimbursement for property damaged, destroyed or stolen in the line of duty shall be administered in accordance with guidelines established by the Controller.

An employee who qualifies for reimbursement of such damaged, destr or stolen property shall submit a claim to his/her department head with all available documentation not later than thirty (30) calendar days after the date of such alleged occurrence. An employee shall be entitled to the appropriate reimbursement no later than one hundred-twenty (120) days following the submission of such claim. Reimbursement may be delayed if the employee does not submit the appropriate documentation.

C. Meals.

Covered employees shall, subject to the procedures established by the Controller, be reimbursed for the reasonable and actual costs of meals upon presentation of receipts in the following circumstances.

1. When an employee is required by the Court to attend a meeting at which a meal is served and such meal is billed to the employee.

2. When an employee is travelling overnight out of the City on

Court business.

4. WORK SCHEDULES

A. Part-time Work Schedules.

A part-time work schedule is a tour of duty less than forty (40) hours per week.

Salaries for part-time services shall be calculated upon the compensation for normal work schedules proportionate to the hours actually worked.

B. Overtime for Non-"Z" Employees.

1. Overtime Pay or Compensatory Time

Overtime shall be paid in accordance with the Fair Labor Standards Act. Non "Z" designated employees who work or, who are suffered to work overtime shall be paid in salary unless the individual employee requests compensatory time off in lieu of paid overtime. Compensatory time shall be earned at the rate of time and one-half (1-1/2). Classification 0170 Court Reporters shall not be eligible for overtime or compensatory time.

2. Pay out of compensatory time for non-"Z" and "L" class employees at termination of employment.

Any compensatory time earned but not used at the time of an employee's termination of employment shall be forfeited.

5. ADDITIONAL COMPENSATION FOR BILINGUAL OR SIGN LANGUAGE

Employees who are assigned in the discretion of the court to a designated bilingual or sign language position shall be granted additional compensation of fifty dollars ($50) biweekly.

6. HOLIDAYS

A. Floating Holidays.

In addition to those days designated as Court holidays, employees other than 0170 Court Reporters shall receive two (2) additional holidays to be taken on days selected by the employee subject to the approval and sole discretion of the Court. Employees must complete six (6) months continuous service before receiving the additional days, except when a particular day has been determined to be a floating holiday for all of the employees in the Court; provided that all part-time employees who are not regularly scheduled, but are employed on an as needed, irregular intermittent or other irregular basis are ineligible for the additional days.

B. Holiday Compensation for Time Worked.

Employees required by their respective appointing officers to work on any of the above-specified or substitute holidays, excepting Fridays observed as holidays in lieu of holidays falling on Saturday, shall be paid extra compensation at the rate of time and one-half (1-1/2) the usual rate of pay for all regularly scheduled hours worked; provided, however, that at an employee's request and with the approval of the appointing officer, an employee may be granted compensatory time off in lieu of paid overtime at the rate of time and one-half (1 1/2).

Ten (10) and twelve (12) hour employees shall receive full holiday compensation for the regularly scheduled shift worked on a holiday.

No designated "Z" employee shall receive overtime pay for working on a holiday. All such overtime shall be compensated in the form of compensatory time accrued.

C. Holiday Pay for Employees Laid Off.

An employee who is laid off at the close of business the day before a holiday who has worked not less than five (5) previous consecutive workdays shall be paid for the holiday.

D Employees Not Eligible for Holiday Compensation.

Persons employed for holiday work only, or persons employed on a part time work schedule which is less than twenty (20) hours in a biweekly pay period, or persons employed on an intermittent part-time work schedule (not regularly scheduled), or persons on leave without pay status both immediately preceding and immediately following the legal holiday shall not receive holiday pay.

E. Part-time Employees Eligible for Holidays.

Part-time employees who regularly work a minimum of twenty (20) hours in a biweekly pay period shall be entitled to holidays on a proportionate basis.

Regular full-time employees are entitled to 8/80 or 1/10 time off when a holiday falls in a biweekly pay period, therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1/10 of the total hours regularly worked in a biweekly pay period. Holiday time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the biweekly pay period immediately preceding the pay period in which the holiday falls. The computation of holiday time off shall be rounded to the nearest hour.

The proportionate amount of holiday time off shall be taken in the same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employee and the appointing officer.

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7. SALARY ADJUSTMENTS FOR CLASSES OTHER THAN 0170 COURT REPORTERS

A. Seniority Increments

1. Entry at the First Step

Employees shall advance to the second step upon completion of two thousand eighty (2080) hours worked and to each successive step upon completion of one (1) year required service.

2. Entry at Other Than the First Step

Employees who enter a classification at a rate of pay at other than the first step shall advance one step upon completion of the one (1) year required service.

B. Lay-Off.

An employee who is (1) "laid off," (2) immediately and continuously employed in another classification with the Court, and (3) is thereafter reemployed in his/her original position without a break in service, shall, for the purposes of determining salary increments, receive credit for time served while laid off from his/her original appointment.

8. GENERAL WAGE INCREASE

All employees covered by this ordinance except 0170 Court Reporters shall receive a 1.0% wage increase effective January 1, 1995 in accordance with the salary schedule attached as Appendix 1. The effective date shall be the beginning of the pay period closest to January 1, 1995.

9. HEALTH AND DENTAL BENEFITS

A. Maintenance of Benefits: The current benefits level shall be maintained for the duration of FY 1994-95.

B. City Contribution: The City shall contribute and continue to

contribute a monthly amount towards Court employee health benefits for each covered employee in accordance with Charter Section 8.423, which provides for an annual benefits survey of the ten most populous counties (example: FY 1993-94 City contributory amount of $172.85 per employee).

C. Dependent Care Health Benefits: Effective the first pay period beginning after November 1, 1994, and continuing for the remainder of FY 1994-95, the City shall pay $75 per month toward dependent health care benefits for covered employees.

D. Dental Benefits: The City shall continue to contribute a monthly amount per covered employee sufficient to continue the family dental coverage provided in FY 1993-94.

10. FINGERPRINTING

The City shall bear the full cost of fingerprinting whenever such is required of the employee.

11. RETIREMENT PICKUP

A. For the period July 1, 1994 through February 24, 1995, the City will contribute to the appropriate pension plan:

1. 1.5% of pension covered gross salary for old plan full and reduced rate members and new plan full rate members of the San Francisco Employee Retirement System (SFERS);

2. 1.3% of pension covered gross salary for new plan reduced rate SFERS members.

B. For the period February 25, 1995 through June 30, 1995, the City will contribute to the appropriate pension plan:

1. 3.0% of pension covered gross salary for the old plan and new

plan full rate members of the San Francisco Employee Retirement System (SFERS),

2. 1.3% of pension covered gross salary for new plan reduced rate SFERS members;

3. 1.8% of pension covered gross salary for old plan reduced members.

C. All employees covered by this ordinance who are enrolled, or shall enroll, at the minimum retirement contribution level will receive an amount equal to the pickup they would have received pursuant to this ordinance had they been enrolled at the full contribution level on at least a semi-annual basis.

12. RETROACTIVE APPLICATION

Although the City and County has incurred no legal obligation under the Charter, the Board of Supervisors does hereby ratify the action previously taken.

CERTIFICATION: The following hereby certify that a majority of the body over which they each preside has approved the terms of the above ordinance.

(see file for signature)
Richard P. Figone, Presiding Judge
Superior Court, San Francisco

Kevin F. Shelley, President
Board of Supervisors of the
City and County of
San Francisco

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 22, 1995	May 30, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng
Absent: Supervisors Kennedy Leal	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
106-95-3

JUN 9 1995
Date Approved

Mayor

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ORDINANCE NO. 1817-75

FILE NO. 95-94-4

FILE NO. _____ ORDINANCE NO. 187-95

[Sale of Real Property]

AUTHORIZING THE SALE OF REAL PROPERTY TO LILLIAN L. CHEN AND FRANKLIN K. CHEN, AS JOINT TENANTS, AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. The Director of Public Works and the Director of Property recommend and the Board of Supervisors hereby declares that the public interest and necessity will not be inconvenienced by the sale of real property owned by the City and County of San Francisco under the jurisdiction of the Department of Public Works, being a 410.5 sq.ft. portion of City Lot 1 of Block 2044 (the "Property"), for the benefit of an adjoining property.

Section 2. The purpose of this conveyance is to permit the construction of two single-family dwellings to replace a two unit flat rendered uninhabitable by the Loma Prieta earthquake. Said use will not interfere with the repair or maintenance of a City retaining wall or the installation of a new retaining wall beyond the Property. The purchaser will be responsible for wall maintenance for the 50-foot portion that traverses their property.

Section 3. The Director of Property has determined that a fair and reasonable value for the Property is $30,000.00, and Lillian L. Chen and Franklin K. Chen ("Purchasers"), the adjoining owner of Lot 12 of Block 2044, have offered the same.

Section 4. The Board of Supervisors adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Department of City Planning in its letter dated August 9, 1993, a copy of which is on file with the Clerk of the Board of Supervisors, reporting that

the proposed sale is in conformity with the Master Plan and consistent with the Eight Priority Policies of Planning Code Section 101.1.

Section 5. The Board of Supervisors hereby authorizes the Director of Property to accept $30,000.00 from the Purchasers as the purchase price for the subject Property and the Mayor and Clerk of the Board of Supervisors are authorized to execute the deed conveying title to the Property to such Purchasers.

RECOMMENDED:

Director of Public Works

Director of Property

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By _____
Deputy City Attorney

LJ avd/6CHEN LTG

[REAL ESTATE]

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 30, 1995	§	June 5, 1995
	§	
	§	
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	§	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
	§	
Absent: Supervisor Hsieh	§	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 96-94-4

JUN 16 1995

Date Approved

Mayor

FILE NO. 101-94-99 ORDINANCE NO. 188-95

(Government Funding) RO#94233
SA#111

APPROPRIATING $270,000 FROM THE GENERAL FUND RESERVE TO SALARIES TO ALLOW THE ADULT PROBATION DEPARTMENT TO MAINTAIN STAFFING FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Fund Reserve	$270,000	
13-00-00	Adult Probation		
01-0010 (320507)	Permanent Salaries - Miscellaneous		270,000
	Total	$270,000	$270,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

N:\EXCEL\SPPRO\13SA#111

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 30, 1995	June 5, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
Absent: Supervisor Hsieh	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 101-94-99

JUN 16 1995
Date Approved

Mayor

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FILE NO. 101-94-100

AS AMENDED IN COMMITTEE
5/24/95

ORDINANCE NO. 189-95

FILE NO. 101-94-100 AS AMENDED IN COMMITTEE 5/24/95

(Government Funding)

ORDINANCE NO. 189-95

RO#94231
SA#110

5/24/95 grh

APPROPRIATING ~~$816,000~~ $745,139 OF HETCH HETCHY OPERATING FUNDS TO A CAPITAL IMPROVEMENT PROJECT TO ALLOW HETCH HETCHY TO REPAIR THE EARLY INTAKE ACCESS ROAD FOR FISCAL YEAR 1994-95; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
33-001	**Hetch Hetchy Operating Fund**		
32-00-00	Public Utilities Commission		
GL 490 (044537)	Unappropriated Revenue	745,139 ~~816,000~~	
Project 740-01	Early Intake Road Stabilization		
20-2030 (336248)	Capital Improvement Project		745,139 ~~815,000~~
	Total	745,139 ~~816,000~~	745,139 ~~816,000~~

5/24/95 grh

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

n:\excel\approf\32sa110

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

May 30, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng

Absent: Supervisor Hsieh

Finally Passed

June 5, 1995

Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng

Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No. 101-94-100

JUN 16 1995
Date Approved

[signature]
Mayor

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FILE NO. 101-94-101 AS AMENDED IN COMMITTEE 5/24/95 ORDINANCE NO. 190-95

(Government Funding) RO# 94232 SA#125

5/24/95 grh

APPROPRIATING $2,448,891 OF PARKING METER REVENUE BOND PROCEEDS AND RESCINDING $300,000 FROM THE VALLEJO STREET GARAGE CAPITAL PROJECT TO REIMBURSE THE PARKING REVENUE FUND FOR ADVANCES OF $596,554 AND APPROPRIATE $2,152,337 TO THE SAN FRANCISCO GENERAL HOSPITAL GARAGE CAPITAL PROJECT AT THE DEPARTMENT OF PARKING AND TRAFFIC FOR FISCAL YEAR 1994-95; PLACING $1,465,070 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
05-627	**Parking Meter Revenue Bonds**		
36-00-00	Parking and Traffic Commission		
55-5500 (061176)	Proceeds Sale of Bonds	$2,448,891	
Project 660-00	Vallejo Street Garage		
21-2030 (354001)	Capital Improvement Project	$300,000	
Project 630-10	S.F. General Hospital Garage		
21-2030 (354001)	Capital Improvement Project		$2,152,337
49-4900 (924407)	Revenue Transfer Out to 02-071; Parking Revenue Fund		$596,554
	Total	$2,748,891	$2,748,891
02-071	**Parking Revenue Fund**		
99-9990 (244012)	Revenue Transfer In from 05-627; Parking Meter Revenue Bond Fund	$596,554	
GL 490 (003327)	Unappropriated Revenue		$596,554
	Total	$596,554	$596,554

5/24/95 grh

Section 2. Funds in the amount of $1,465,070 for the cleanup and soil remediation project, pending the Department of Parking and Taffic's submission of contract details and MBE/WBE status of contractors to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 30, 1995	$	June 5, 1995
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	$	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
	$	
Absent: Supervisor Hsieh	$	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lem
Acting Clerk

File No.
101-94-101

JUN 16 1995
Date Approved

Mayor

FILE NO. 101-94-103
(Government Funding)

ORDINANCE NO. 191-95

RO#94246
SA#127A-D

APPROPRIATING $775,049 FROM THE GENERAL FUND RESERVE TO THE DEPARTMENT OF PUBLIC HEALTH FOR COSTS ASSOCIATED WITH THE 1994-95 MOU FOR STAFF NURSES AND INCREASED COSTS OF NURSES DENTAL COVERAGE IN FISCAL YEAR 1994-95; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	General Fund Unallocated		
GL 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary (000006)	General Fund Reserve	775,049	
48-4700 (859330)	Contribution Transfer Out to 37-001; Laguna Honda Operating Fund; 85-00-00; Laguna Honda		217,527
48-4700 (876789)	Contribution Transfer Out to 36-001; Hospital Operating Fund; 86-00-00; San Francisco General Hospital		425,716
83-00-00	Community Health Service		
04-0615 (735555)	Retirement Pick-up		324
04-0615 (734301)	Retirement Pick-up		38,106
04-0615 (735563)	Retirement Pick-up		4,212
04-0615 (736488)	Retirement Pick-up		2,672
04-0615 (735571)	Retirement Pick-up		315
04-0615 (735597)	Retirement Pick-up		532
04-0615 (735902)	Retirement Pick-up		6,966
87-22-70	Mental Health		
04-0615 (730366)	Retirement Pick-up		394
04-0711 (730366)	Nurses Dental		360
04-0615 (730390)	Retirement Pick-up		1,379
04-0711	Nurses Dental		1,440
04-0615 (730515)	Retirement Pick-up		4,859
04-0711	Nurses Dental		6,120
04-0615 (733907)	Retirement Pick-up		296
04-0711	Nurses Dental		360
04-0615 (731943)	Retirement Pick-up		1,828
04-0711	Nurses Dental		2,520
04-0615 (751370)	Retirement Pick-up		296
04-0711	Nurses Dental		360
04-0615 (732180)	Retirement Pick-up		1,310
04-0711	Nurses Dental		720
04-0615 (441055)	Retirement Pick-up		19,913
04-0711	Nurses Dental		32,760
04-0711 (731430)	Nurses Dental		720
04-0615 (731598)	Retirement Pick-up		884
04-0711	Nurses Dental		2,160
	Total General Fund	775,049	775,049

BOARD OF SUPERVISORS

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37-001	**Laguna Honda Operating Fund**		
85-00-00	**Public Health - Laguna Honda Hospital**		
98-9701 (180315)	Contribution Transfer In from 01-001, General Fund; 99-00-00	217,527	
04-0711 (448274)	Nurses Dental		121,680
04-0615	Retirement Pick-up		95,847
	Total Laguna Honda Operating Fund	217,527	217,527

36-001	**Hospital Operating Fund**		
86-41-00	**Public Health - SFGH**		
98-9701 (199471)	Contribution Transfer In from 01-001; General Fund; 99-00-00	425,716	
04-0615 (443010)	Retirement Pick-up		206,476
04-0711	Nurses Dental		219,240
	Total Hospital Operating Fund	425,716	425,716

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

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FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading

May 30, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng

Absent: Supervisor Hsieh

Finally Passed

June 5, 1995

Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng

Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 101-94-103

JUN 16 1995
Date Approved

Mayor

FILE NO. 101-94-104 ORDINANCE NO. 192-95

(Government Funding) RO#94237

SA#122

APPROPRIATING $991,116 OF 1987 MENTAL HEALTH FACILITY BOND INTEREST EARNINGS TO THE MENTAL HEALTH REHABILITATION SKILLED NURSING FACILITY CAPITAL IMPROVEMENT PROJECT AT THE DEPARTMENT OF PUBLIC HEALTH-MENTAL HEALTH FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
05-616	**1987 Mental Health - Facility Bond Fund**		
87-28-70	Public Health - Mental Health Substance Abuse		
Project 902-00	1987 Mental Health - S1991E		
54-5403 (056184)	Interest Earned - Non-Pooled Cash	$991,116	
Project 100-01	Mental Health Facility Improvement Project		
21-2030 (462887)	Capital Improvement Project		$991,116
		991,116	991,116

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

n:\excel\approc\87aa122

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 30, 1995	June 5, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
Absent: Supervisor Hsieh	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Acting Clerk

File No. 101-94-104

JUN 16 1995
Date Approved

_____
Mayor

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FILE NO. 101-94-105
(Government Funding)

ORDINANCE NO. 193-95
RO# 94244
SA#104

APPROPRIATING AND RESCINDING $180,000 TO OVERTIME IN THE SHERIFF'S DEPARTMENT FOR FISCAL YEAR 1994-95; SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
06-00-00	Sheriff Department		
11-1300 (306589)	Materials and Supplies	$180,000	
01-0100 (306589)	Overtime		$180,000
	Total General Fund	$180,000	$180,000

Section 2. This Ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

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BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 30, 1995	June 5, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
Absent: Supervisor Hsieh	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No.
101-94-105

JUN 16 1995
Date Approved

[signature]
Mayor

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FILE NO. 101-94-106

ORDINANCE NO. 194-95

(Government Funding)

RO# 94234
SA#37

APPROPRIATING $97,000 FROM THE GENERAL FUND RESERVE TO ALLOW THE MEDICAL EXAMINER TO PURCHASE EQUIPMENT FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Fund Reserve	$ 97,000	
74-00-00	Medical Examiner		
22-2200 (424077)	Equipment Purchase		$97,000
	Total	$ 97,000	$97,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

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BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading
May 30, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng

Absent: Supervisor Hsieh

Finally Passed
June 5, 1995

Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng

Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
101-94-106

JUN 16 1995
Date Approved

Mayor

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FILE NO. 101-94-108

AS AMENDED IN COMMITTEE
5/24/95

ORDINANCE NO. 195-95

(Government Funding)

RO#94251
SA#107

APPROPRIATING $9,340,000 FROM THE CLEAN WATER OPERATING FUND TO A CAPITAL IMPROVEMENT PROJECT (SEWER SYSTEM IMPROVEMENTS) AT THE DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1994-95; PLACING $6,174,154 ON RESERVE.

5/24/95 grh

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
35-001	**Clean Water Operating Fund**		
90-06-00	Public Works - Engineering		
GL 490 (027060)	Unappropriated Revenue	$9,340,000	
Project 102-01	Sewer System Improvement		
21-2030 ( )	Capital Improvement Project		$9,340,000
	Total	$9,340,000	$9,340,000

5/24/95 grh

Section 2. Funds in the amount of $6,174,154 are hereby placed on reserved. $350,00 for construction consultant and $5,824,154 for construction contractors pending selection of consultants and contractors, the MBE/WBE status and details on contract cost to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY [signature]
DEPUTY CITY ATTORNEY

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FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

May 30, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng

Absent: Supervisor Hsieh

Finally Passed

June 5, 1995

Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng

Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Acting Clerk

File No.
101-94-108

JUN 16 1995
Date Approved

[signature]
Mayor

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FILE NO. 101-94-107 (Government Funding)

AS AMENDED IN COMMITTEE 5/24/95

ORDINANCE NO. 196-95

RO#94252
SA#128A-D

/24/95
grh

APPROPRIATING AND TRANSFERRING $2,993,539 FROM VARIOUS PORT FUNDS TO CAPITAL IMPROVEMENT PROJECTS AT THE PORT OF SAN FRANCISCO FOR FISCAL YEAR 1994-95, PLACING $2,993,539 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
34-001	**SF Harbor Operating Fund**		
39-00-00	Port Commission		
GL 301 (026013)	Unreserved Fund Balance	930,457	
Project 638-01	Embarcadero Roadway Drainage		
20-2020 (590042)	Capital Improvement Project		528,581
Project 639-01	Ferry Bldg. Shear Wall Modifications		
20-2030 (590042)	Capital Improvement Project		401,876
	Total SF Harbor Operating Fund	930,457	930,457
34-606	**Fire Insurance Proceeds**		
Project 608-01	Tunnel Project		
21-2030 (590059)	Capital Improvement Project	68,896	
Project 610-01	Pier 35 Cruise Improvement		
21-2020 (590059)	Facilities Improvements		68,896
	Total Insurance Proceeds	68,896	68,896
34-867	**1971 Harbor Improvement Bond Fund**		
Project 171-00	Tunnel Project		
21-2030 (599803)	Capital Improvement Project	1,932,900	
Project 172-01	Pier 35 Cruise Improvement		
21-2030 (599803)	Capital Improvement Project		1,261,481
Project 173-01	Ferry Building Roof		
21-2030 (599803)	Capital Improvement Project		250,000
Project 174-01	Ship Repair		
21-2030 (599803)	Capital Improvement Project		250,000
Project 175-01	Embarcadero Drainage		
21-2030 (599803)	Capital Improvement Project		171,419
	Total 1971 Harbor Improvement Bond	1,932,900	1,932,900
34-866	**5th Seawall Bond Fund**		
Project 560-01	Preliminary Engineering		
21-2030 (599787)	Capital Improvement Project	1,082	
Project 580-01	Land Development		
21-2030 (599787)	Capital Improvement Project	5,478	
Project 590-01	Tunnel Project		
21-2030 (599787)	Capital Improvement Project	54,726	
Project 600-01	Pier 35 Cruise Improvement		
21-2030 (599787)	Capital Improvement Project		61,286
	Total 5th Seawall Bond Fund	61,286	61,286

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5/24/95
grh

Section 2. Funds in the amount of $2,993,539 are hereby placed on reserved pending the Port's submission of MBE/WBE status of contractrors and contract cost details for project work and work performed in house. To be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

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BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 30, 1995	June 5, 1995
Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng
Noes: Supervisor Hallinan	Noes: Supervisor Hallinan
Absent: Supervisor Hsieh	Absent: Supervisors Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
101-94-107

JUN 16 1995
Date Approved

Frank M. Jordan
Mayor

FILE NO. 10-95-2 ORDINANCE NO. 197-95

(U. N. Plaza Farmers' Market Permit)

APPROVING A TEMPORARY REVOCABLE PERMIT FOR A FARMERS' MARKET AT UNITED NATIONS PLAZA FOR THE PERIOD OF MAY 1, 1995 THROUGH JUNE 26, 1995.

Be it ordained by the People of the City and County of San Francisco:

Section 1. By Ordinance No. 311-93 the Board of Supervisors approved a revocable permit, as amended, for a Farmers' Market at United Nations Plaza. Due to construction work at United Nations Plaza and a June 26 convocation to honor 50th anniversary of the founding of the United Nations during the period of May 1, 1995 through June 26, 1995 it will be necessary for the Farmers' Market to move their location on a temporary basis. The San Francisco Board of Supervisors hereby approves the form and substance of a certain temporary Revocable Permit for Farmers' Market at United Nations Plaza, a copy of which is on file with the Clerk of the Board of Supervisors, between the City and County of San Francisco and the Heart of the City Farmers' Market, a non-profit corporation, for the period May 1, 1995 through June 26, 1995. After June 26, 1995, the revocable permit approved by the Board of Supervisors by Ordinance No. 311-03 shall again govern the location of the Farmers' Market.

RECOMMENDED:

Chief Administrative Officer

APPROVED AS TO FORM:
LOUISE H. RENNE
City Attorney

By: Deputy City Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

May 30, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley Teng

Finally Passed

June 5, 1995

Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng

Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 10-95-2

JUN 16 1995

Date Approved

Mayor

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FILE NO. 45-95-16 ORDINANCE NO. 198-95

RO #94238

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MARIA RUBALCABA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $14,610.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Maria Rubalcaba v. City and County of San Francisco, Superior Court No. 953-843, by the payment of $14,610.

APPROVED AS TO FORM AND RECOMMENDED

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PARKING AND TRAFFIC

JOHN NEWLIN, Executive Director

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 36
310177 1450 $14,610.00

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 30, 1995	June 5, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
Absent: Supervisor Hsieh	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-95-16

JUN 16 1995
Date Approved

Mayor

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FILE NO. 45-95-17 ORDINANCE NO. 149-95

RO #42235

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ARNOLD DIEM AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $67,000 plus $7,517 for workers compensation, attorney's fees; arrangement to facilitate retirement pension.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ARNOLD DIEM v. CITY AND COUNTY OF SAN FRANCISCO, et al.," United States District Court No. C94-0051, by the payment of $67,000 plus $7,517 for workers compensation/ attorney's fees; arrangement to facilitate retirement pension.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

JOSEPH MEDINA
Chief, San Francisco Fire Department

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

01 001 31 00 00
333203 1450 117-01 $74,517.00

APPROVED:

SAN FRANCISCO FIRE COMMISSION

RAYMOND G. CONNORS, JR.
Secretary

56391

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 30, 1995	June 5, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
Absent: Supervisor Hsieh	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-95-17

JUN 16 1995
Date Approved

Mayor

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FILE NO. 45-95-18 ORDINANCE NO. 200-95

RO #94242

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF YVONNE DOTSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $85,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "YVONNE DOTSON v. CITY AND COUNTY OF SAN FRANCISCO, et al.," United States District Court, Northern District of California, No. C94-0077, by the payment of $85,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED

San Francisco Police Department:

ANTHONY D. RIBERA
Chief

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $85,000.00

APPROVED:

SECRETARY
Police Commission

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 30, 1995	June 5, 1995
Ayes: Supervisors Alioto Ammiano Bierman Hallinan Kaufman Kennedy Leal Migden Shelley Teng	Ayes: Supervisors Ammiano Bierman Hallinan Kaufman Kennedy Leal Shelley Teng
Absent: Supervisor Hsieh	Absent: Supervisors Alioto Hsieh Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-95-18

JUN 16 1995
Date Approved

Mayor

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